

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12178 of 2023

Applicant :- Sachin Yadav

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, U.P. Govt. Lucknow

Counsel for Applicant :- Farooq Ayoob

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Farooq Ayoob, the learned counsel for the applicant, Sri Manish Kumar Pandey, learned A.G.A.-I for the State and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 459 of 2023, under Sections 307, 323, 504, 506 I.P.C., registered at Police Station Ramnagar, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 14.08.2023 against three persons, including the applicant, alleging that the informant is a widow and she developed relations with the applicant's father Ram Kishore. The applicant got annoyed with this and he assaulted the informant with a knife. The medico legal examination report of the informant mentions an incised wound of size 5.02 cm. skin deep on the neck, some abrasions on chest and right foreleg, all of which are opined to be simple in nature. In the supplementary medico legal examination report prepared after X-ray examination of the informant no further abnormality was reported.

4. In the affidavit filed in support of bail application it has been stated that the applicant is a 22 years old innocent person, he has been falsely implicated in the present case and he has no

criminal history.

5. The learned counsel for the applicant has submitted that the applicant has also suffered injuries in the incident. He was taken for medico legal examination by the police constable and in medico legal examination report annexed as Annexure No.5 to the affidavit mentions a stitched wound, the location whereof is not mentioned in the report.

6. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is a young man having no previous criminal history and he is languishing in jail since 16.08.2023 and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime.

8. Accordingly, this bail application stands **allowed**.

9. Let the **applicant-Sachin Yadav** be released on bail in Case Crime No. 459 of 2023, under Sections 307, 323, 504, 506 I.P.C., registered at Police Station Ramnagar, District Barabanki on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

Order Date :- 12.10.2023
Ram.