

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12496 of 2023

Applicant :- Nanhe Lal Yadav @ Nanha

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home

Counsel for Applicant :- Dinesh Kumar, Lok Pati Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Shri Dinesh Kumar, learned counsel for the applicant, Shri Akhilesh Kumar Vyas, learned AGA and Rani Vijai Laxmi Singh, learned counsel for the informant.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.341 of 2021, under Sections 323, 504, 506, 307, 34 IPC, Police Station - Satrikh, District - Barabanki.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 18.12.2021 against nine named persons, including the applicant and some unknown persons, alleging that all the accused persons had assaulted the informant and other persons. It is alleged that co-accused Vinod Yadav had shot at the informant's son Mukhtarul Haq @ Munna and other persons have beaten up the informant with sticks.
4. In the affidavit filed in support of bail application, it has been stated that the applicant is 70 years old person having no criminal history and he is languishing in jail since 27.09.2023, whereas all the other named accused persons have already been granted bail and copies of their bail orders have been annexed with the affidavit filed in support of the application.
5. The learned counsel for the informant has opposed the prayer for bail but she could not dispute the fact that the case of the applicant is similar to that set up against the co-accused persons, who have already been granted bail.
6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is 70 years old persons; that the applicant has no previous criminal history and he is languishing in jail since 27.09.2023 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.

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

8. Let the applicant-**Nanhe Lal Yadav @ Nanha** be released on bail in Case Crime No.341 of 2021, under Sections 323, 504, 506, 307, 34 IPC, Police Station - Satrikh, 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 :- 19.10.2023

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