

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12738 of 2023

Applicant :- Anuj Singh

Opposite Party :- State Of U.P. Thru. Secy. Home Civil Sectt. Lko

Counsel for Applicant :- Sudhir Kumar Rai,Dhirendra Vikram Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Sudhir Kumar Rai, the learned counsel for the applicant as well as Sri Shaunak Singh, the learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 101 of 2023, under Section 307, 504, 506 I.P.C., registered at Police Station Bihar, District Unnao.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 19.05.2023 against four persons, including the applicant and his brother, alleging that at about 8:00 pm on the same date when the informant was passing in front of the house of the accused persons along with his friend Sunny, all the four named accused persons fired a shot with a pistol.
4. The medico legal examination of the informant mentions two punctured wounds of size 0.5 X 0.5 cm and 0.2 X 0.2 cm on left side of upper shoulder. In the X-ray examination report of the informant, no abnormality has been detected.
5. The applicant's involvement in another case bearing Case Crime No. 92 of 2017, under section 307 I.P.C. has been disclosed in the affidavit filed in support of the bail application and no charge sheet has been filed in the aforesaid case till date.
6. The applicant is seeking parity of the bail order of co-accused, Ajay Singh passed in Criminal Misc. Bail Application No.12418 of 2023 vide order dated 11.08.2023.
7. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that even as per the F.I.R allegations, a single gun shot was fired from a pistol and the informant has alleged that the single shot was fired by four persons, coupled with the fact that in the statement of co-accused Arpit Singh recorded by the Investigating Officer, he has allegedly confessed having fired a shot and the pistol has been recovered from him and similarly situated co-accused, Ajay Singh has been granted bail vide order dated 11.08.2023 passed in Criminal Misc. Bail Application No.10142 of 2023 and without making any observations 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.

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

10. Let the applicant- **Anuj Singh** be released on bail in the aforesaid case, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the 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 :- 31.10.2023

KR