

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12863
of 2023

Applicant :- Arvind Mali @ Pappu

Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Of
Home Lko.

Counsel for Applicant :- Vijayendra Prakash Tripathi, Ravindra
Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Vijayendra Prakash Tripathi, the learned counsel for the applicant, Sri Anurag Verma, the learned AGA-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. 417 of 2020, under Sections 307/41/411 I.P.C., Police Station Khandasa, District Faizabad/Ayodhya.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 28.09.2020 alleging that when the police party intercepted a motorcycle on which the applicant was riding, the applicant fired towards the police persons causing an injury in the arm of a constable. The police persons also fired due to which the applicant got injured and fell down and he was arrested.

4. The medico legal examination report of the applicant has been filed along with a supplementary affidavit, which mentions two firearm injuries on the knee of the applicant's right leg.

5. The medico legal examination report of the police constable states that as per the statement of the constable himself, he had suffered a firearm injury in his right arm. However, the doctor has not recorded his observation regarding the injury.

6. The applicant's involvement in six other cases has been disclosed in the affidavit filed in support of the application, in two of which the applicant has already been granted bail.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the constable's injury

has been recorded as per his own averment and the doctor has not recorded his observation regarding any injury suffered by the constable whereas the applicant himself has suffered two gun shot injuries on his knee, I am of the view that the applicant is entitled to be released on bail in the aforesaid case.

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

9. Let the applicant-***Arvind Mali @ Pappu*** be released on bail in Case Crime No. 417 of 2020, under Sections 307/41/411 I.P.C., Police Station Khandasa, District Faizabad/Ayodhya 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 :- 3.11.2023

Pradeep/-