

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13202 of 2023

Applicant :- Ankit Verma @ Vikram Patel

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

Counsel for Applicant :- Amit Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Amit Pandey, learned counsel for the applicant, the learned Addl. Government Advocate, and perused the record.
2. By means of the instant application the applicant seeks bail in Case Crime No. 25 of 2023, under sections 147, 148, 149, 323, 325, 307, 504, 506, 120B, I.P.C., P.S. Chhapia, District Gonda.
3. The aforesaid case has been registered on the basis of a first information report lodged on 31.01.2023 against 7 named persons, not including the applicant and 10-12 unknown persons alleging that at about 4:30 p.m. on 30.01.2023 all the accused persons, who were armed with countrymade pistols and iron-rods and 10-12 persons carrying sticks had attacked the informant and his brother.
4. In the statement of the informant recorded under section 161, CrPC he reiterated the FIR version.
5. In the statement of the victims recorded under section 161, CrPC on 20.03.2023 they implicated the applicant also. It is relevant that both the injured persons have stated that their father and some other persons were present nearby at the time of the incident and they had witnessed the incident, however the FIR or the statement of the informant does not contain a reference of this fact. Even the injured does not assign any specific role to the applicant.
6. Co-accused Vinay Verma has been granted anticipatory bail and 7 other co-accused persons have been granted regular bail. Copies of their bail orders have been annexed with the affidavit filed in support of the bail application.
7. Having considered the aforesaid facts and circumstances of the case, coupled with the fact that the applicant has no criminal

history and he is languishing in jail since 28.08.2023, 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.

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

9. Let the applicant-***Ankit Verma @ Vikram Patel*** be released on bail in the aforesaid case on his 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 :- 7.11.2023

Pradeep/-