

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13446 of 2023

Applicant :- Pankaj Kumar @ Pankaj Singh And Another

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

Counsel for Applicant :- Nagendra Singh, Prashant Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Nagendra Singh, learned counsel for the applicants, Sri Anant Pratap Singh, learned A.G.A. for the State and Sri Pranav Pandey, Advocate who has put in appearance on behalf of the informant and filed his vakalatnama, which is taken on record.

2. The instant application has been filed seeking release of the applicants on bail in Case Crime No.501 of 2014, under Sections 147, 308, 323, 325, 504 I.P.C., registered at Police Station Maurawan, District Unnao.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 16.08.2014 against six persons, including the applicant, alleging that because of a petty dispute, accused persons had attacked the informant and his family members.

4. An F.I.R. No.289 of 2014 was lodged from the side of the applicants on the same day at 15.40 hrs. against three persons including the informant of the present case alleging assault by six persons. Persons from both the sides have received injuries in the incident.

5. In the affidavit filed in support of bail application, it has been stated that the applicants are innocent, and they have been falsely implicated in the present case. Applicants' involvement in two cases has been disclosed in para 12 and 13 of the affidavit, in one of the cases the applicants have been acquitted and in the other case, they are on bail.

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 persons from both the sides have received injuries in the incident; that no specific role has been assigned to the applicants and two co-accused persons have already been granted bail, 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 applicants on bail in the aforesaid crime.

8. Accordingly, this bail application stands allowed.

9. Let the applicants-Pankaj Kumar @ Pankaj Singh and Rajesh 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 following conditions:-

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

(Subhash Vidyarthi, J.)

Order Date :- 9.11.2023
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