

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14285 of 2023

Applicant :- Sanesar Singh @ Arvind Kumar Singh

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

Counsel for Applicant :- Raghvendra Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Rishi Raj Mishra, Advocate holding brief of Sri Raghvendra Singh, the learned counsel for the applicant as well as Sri Gyanendra 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. 624 of 2022, under Section 323, 308, 504 I.P.C., registered at Police Station Ramkot, District Sitapur.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 18.12.2022 against four persons, including the applicant, alleging that the accused persons had beaten up the informant and his uncle on 27.10.2022. Prior to lodging of the F.I.R, a non-cognizable report was lodged regarding the incident on 27.10.2022, on the basis whereof the F.I.R was lodged subsequently.
4. A non-cognizable report of the same incident was lodged by the applicant also on 27.10.2022 itself, against four persons, alleging assault by them against the applicant and his father. Two persons from the side of the informant have received injuries in the incident, including a hair line fracture on head and one person had got injured from the applicant's side and he has also suffered a lacerated wound on the parietal region.
5. In the affidavit filed in support of the bail application, it has been stated that the applicant is a 61 years old innocent person having no criminal history and he has been falsely implicated in the present case. A supplementary affidavit has been filed

annexing therewith copy of charge sheet.

6. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

7. Co-accused Raman Bahadur Singh has been granted bail by means of the order dated 01.12.2023 passed by this Court in Crl Misc Bail Application No.14161 of 2023.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that persons from both the side have received injuries in the incident and one Veeru Singh from the applicant's side has received a head injury in the incident and that the applicant is 61 years old man having no criminal history and he is languishing in jail since 18.11.2023 and that co-accused Raman Bahadur Singh has been granted bail 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- **Sanesar Singh @ Arvind Kumar 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 :- 5.12.2023

Renu/-