

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14472 of 2023

Applicant :- Atul Pandey @ Saurabh Pandey

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

Counsel for Applicant :- Suresh Kumar Singh, Sanat Kumar Ojha

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Sanat Kumar Ojha, the learned counsel for the applicant as well as Sri Virendra Kumar, 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. 169 of 2023, under Section 307, 323, 325, 504, 506 I.P.C., registered at Police Station Sangrampur, District Amethi.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 14.11.2023 against the applicant, his father and brother, stating that the accused persons had beaten up the informant's brother, causing fracture in his leg.
4. The medico legal examination report of the victim mentions two contused swelling, a swelling and a lacerated wound and the supplementary medico legal examination report mentions a fracture in the victim's leg.
5. Prior to the present incident, an F.I.R No. 53/2023 was lodged from the applicant's side on 13.04.2023 against three persons, including the victim Hridya Narayan Pandey, alleging assault by those persons.
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. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact the F.I.R. has been lodged against three persons and no specific role has been assigned to the applicant; that the victim has not suffered any grievous injury on any vital part, coupled with the fact that the applicant has no criminal history and he is languishing in jail since 15.11.2023 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.

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

9. Let the **applicant- Atul Pandey @ Saurabh Pandey** 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.

(Subhash Vidyarthi,J.)

Order Date :- 14.12.2023
Preeti.