

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14445 of 2023

Applicant :- Babli

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

Counsel for Applicant :- Pankaj Kumar Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Pankaj Kumar Gupta, the learned counsel for the applicant as well as Sri Manish Kumar Pandey, the learned A.G.A.-I 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. 216 of 2017, under Section 147, 148, 149, 504, 506, 323, 324, 308 I.P.C., registered at Police Station Hargaon, District Sitapur.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 14.07.2017 against seven persons, including the applicant, alleging that because of an old dispute regarding some land, the accused persons had assaulted the informant and his family members at about 07:00 am on the date of lodging the F.I.R. Regarding the application, the F.I.R alleges that she and another co-accused woman had assaulted the informant's sister Mohani Devi with sticks.

4 In the affidavit filed in support of the bail application, it has been stated that the applicant is a 21 years old innocent woman having no criminal history.

5. The injured victim Mohani mentions a skin deep abrasion on left leg and a skin deep abrasion on right leg besides complaint of chest pain and the injuries have been opined to be simple in nature.

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 that the specific role assigned to the applicant and a co-

accused person is of causing injuries to one Mohani, who has suffered two skin deep lacerated wounds on her leg which have been opined to be simple in nature, coupled with the fact that the applicant is a young girl having no criminal history and she is languishing in jail since 17.11.2023 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- Babli** 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 :- 7.12.2023
Preeti.