

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14462 of 2023

Applicant :- Anoop Kumar

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

Counsel for Applicant :- Manas Gaurav, Shyam Narayan

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Shyam Narayan, the learned counsel for the applicant, Sri Anant Pratap Singh, the learned A.G.A. for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 262 of 2023, under Sections 323, 504, 506, 326 I.P.C., registered at Police Station Ghunghter, District Barabanki.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 01.10.2023 against the applicant and his wife Pooja, stating that the accused persons were quarreling amongst themselves. The informant's husband has tried to persuade them whereupon the accused persons started abusing him and the co-accused Pooja assaulted him with a pointed bamboo causing a serious injury in the eye and on the face.
4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.
5. The State has filed a counter affidavit annexing therewith copies of materials collected during investigation. A copy of the statement of the doctor who had treated the victim indicates that the victim has lost vision of his left eye. The victim has stated

that the injury in his eye was caused by the co-accused person.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant has no previous criminal history and he is languishing in jail since 29.10.2023 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 applicant on bail in the aforesaid crime.

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

8. Let the **applicant-Anoop Kumar** 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 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 :- 18.12.2023

Ram.