

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14619 of 2023

Applicant :- Achal Gupta And Another

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

Counsel for Applicant :- Sapana Verma

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Sadhna Rani (Thakur),J.

Heard learned counsel for the applicants, learned A.G.A. and perused the record.

This application has been moved by the applicants - Achal Gupta & Aman Gupta to enlarge them on bail in Case Crime No. 507 of 2023 under Sections 147, 323, 324, 504, 506, 307 IPC, Police Station Kotwali Ayodhya, District Faizabad/Ayodhya.

It is argued by the learned counsel for the applicants that in the incident three persons are said to be injured and the injuries of all the three persons are found to be simple in nature. As per FIR, the injured persons are said to have been assaulted with sharp edged weapon but the injuries are found to be caused by hard and blunt object. There is no injury which can be said to be caused by sharp edged weapon. Regarding criminal history of three cases, it is submitted that in two cases the applicants are on bail and in one case they have not been chargesheeted. Co-accused having identical role has been granted bail by the coordinate bench of this court. The applicants are languishing in jail since 15.11.2023, hence, the prayer for bail is made.

Learned A.G.A. opposed the prayer for bail and submitted that the incident took place just near Kotwali and all the persons are said to have been collectively assaulted the first informant and his companion. The injured have sustained various injuries.

From perusal of the record, it is found that the injuries of all the three injured persons are found to be simple. In the supplementary report, no bony injury is found, thus, the nature of the injuries appears to be simple. The applicants are languishing in jail since 15.11.2023.

Considering the facts and circumstances of the case, perusing

the record, the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merits of the case, I find it to be a fit case for granting bail to the applicant.

The bail application is allowed.

Let the applicants **Achal Gupta & Aman Gupta** involved in the aforesaid case be released on bail on furnishing personal bonds and two sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:-

1. The applicants will attend and co-operate the trial proceedings pending before the court concerned on the date fixed after release.
2. They will not tamper with the witnesses.
3. They will not indulge in any illegal activities during the bail period.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the court below shall be at liberty to cancel the bail and send the applicants to the prison.

It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the ultimate merits of the case.

Order Date :- 12.12.2023

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