

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14690 of 2023

Applicant :- Bala Ji And 2 Others

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

Counsel for Applicant :- Manjusha Kapil, Abhishek Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Smt. Manjusha Kapil, learned counsel for the applicant, Sri Amit Kumar Diwedi, 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. 593 of 2022, under Sections 147, 323, 504 and 308 I.P.C., registered at Police Station Harganv, District Sitapur.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 19.10.2022 against six named persons including the applicants and unknown persons, alleging that the accused persons had assaulted the informant's son and her husband.

4. In the affidavit filed in support of bail application it has been stated that the applicants are innocent, they have been falsely implicated in the present case and the applicants' involvement in another case has been disclosed in para 22 of the application in which they have been granted bail.

5. Three co-accused persons namely, Smt. Poonam, Sunil and Radhe Shyam have already been granted bail and copies of bail orders have been annexed with the application.

6. The learned A.G.A. has opposed the prayer for 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 FIR levels similar allegations against all accused persons and no specific role has been assigned to any of the applicants and three accused person had already been granted bail, 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.

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

9. Let the **applicant- Bala Ji, Vikas and Vivek @ Arun** 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.

Order Date :- 13.12.2023/Raj