

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15097 of 2023

Applicant :- Mohd. Gufran

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

Counsel for Applicant :- Santosh Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Santosh Kumar Srivastava, the learned counsel for the applicant as well as Ms. Charu Singh, 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. 111 of 2023, under Section 147, 148, 323, 504, 506, 307, 364 I.P.C., registered at Police Station Bewana, District Ambedkar Nagar.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 29.07.2023 against six named persons and 18 unnamed persons, alleging that the accused persons had abducted the informant's brother while the informant and one Shahbaz were accompanying him. After some time his brother was found injured near a bridge.
4. The medico legal examination of the report of the victim mentions nine injuries, all of which are simple in nature.
5. In the affidavit filed in support of the bail application, it has been stated that the applicant is a 21 years old innocent person having no criminal history.
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 incident is said to have been caused by six unnamed persons and 18 other persons and no specific allegation has been levelled against the applicant; that all the injuries suffered by the victim are simple in nature, coupled with the fact that the applicant is a young man aged 21 years having no criminal history and he is languishing in jail since 31.07.2023 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- Mohd. Gufran** 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 :- 20.12.2023

Preeti.