

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15244 of 2023

Applicant :- Ram Shankar

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

Counsel for Applicant :- Jaikaran

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Jaikaran, the learned counsel for the applicant, Sri Rakesh Kumar Singh, learned AGA 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. 429 of 2023, under Sections 326, 504, 506 IPC, Police Station Unchahar, District Raebareli.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 04.09.2023 stating that for a meeting being held for settlement of dispute regarding drainage, the applicant severed the informant's thumb by taking it in his mouth.
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 learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the incident took place during settlement of a dispute suddenly; that no weapon has been used in the offence and coupled with the fact that the applicant has no previous criminal history and he is languishing in jail since 05.09.2023 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 case.
7. Accordingly, this bail application stands **allowed**.
8. Let the applicant-**Ram Shankar** 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 :- 22.12.2023

Pradeep/-