

Court No. - 64

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46118 of 2021

Applicant :- Amit Kumar

Opposite Party :- State of U.P.

Counsel for Applicant :- Gaurav Kakkar

Counsel for Opposite Party :- G.A.

Hon'ble Ram Krishna Gautam,J.

Heard over bail application moved by the applicant, Amit Kumar, in Case Crime No.273 of 2021, under Sections 498-A, 307, 452, 323, 324, 504 and 506 I.P.C. and Section 3/4 Dowry Prohibition Act, Police Station-Noorpur, District-Bijnor.

Heard learned counsel for the applicant and learned AGA representing the State. Perused the record.

Learned counsel for the applicant argued that the applicant is innocent. He has been falsely implicated in this very case crime number and is languishing in jail since 19.08.2021; there is matrimonial dispute between the applicant and complainant; cases were pending since before this alleged occurrence, the occurrence is said to be of 08.07.2021 and the report was got lodged after one month delay i.e. on 06.08.2021 whereas medical report reveals one injury of incised wound 4.5 cm. x 2.0 cm skin deep over the left side of back; this is neither grievous injury nor on vital part; report is manufactured; there is no likelihood of applicant's fleeing from course of justice or tempering with evidence in case of release on bail. Hence bail has been prayed for.

Learned AGA has vehemently opposed bail, but could not oppose the aforesaid facts.

Having heard learned counsels for both sides and gone through materials placed on record as well as considering all above facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction but without commenting on the merits of the case, a case for bail is made out, accordingly allowed.

Let the applicant, **Amit Kumar**, involved in above mentioned case crime number be released on bail on his executing a personal bond and two reliable sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court unless his personal appearance is exempted through counsel by the court concerned.
5. The party shall file computer generated copy of such order downloaded from the official website of High Court, Allahabad.
6. The computer generated copy of such order shall be self attested by counsel of the party concerned.
7. The concerned Court/ Authority/ Official shall verify the authenticity of such computerized copy of the order from the official website of High Court, Allahabad, and shall make a declaration of such verification in writing.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

Order Date :- 31.1.2022

Asha