

**BAIL MATTERS 640/2026
THE STATE Vs. IZUL
FIR No-286/2026
PS-(Khajuri Khas)**

08.07.2026

Present: Sh. Ghanshyam, Ld. Addl. PP for State.
Sh. Sushant Chanchal, Ld. Counsel for
applicant/accused.
Sh. Rajesh Kumar Tiwari, Ld. Counsel for complainant
alongwith complainant Shabana.
Deputed IO PSI Saurav in person.

1. The present application has been moved U/s 483 of BNSS 2023, seeking grant of regular bail for applicant/accused **Izul**, who was arrested on 18.06.2026, on allegations of committing offence U/s 110/3(5) of BNS.
2. Ld. Counsel for the applicant/accused has submitted that similar application is neither pending nor has been recently dismissed by any higher court.
3. Reply has been filed today. Copy supplied.
4. Briefly stated, the facts of the present case are that applicant/accused and his associates had a quarrel with the opposite party and they were pelting stone upon each other. One of the stone hit on the head of 08 months old child of complainant Shabana. Accordingly, the present case FIR was registered.
5. During course of arguments, Ld. Counsel for applicant/accused has submitted that applicant/accused and his associates never intended to cause any injury to the child. The injury was accidentally caused. Ld. Counsel has also submitted that

applicant/accused has clean antecedents and prior to the registration of the present case, he was not found involved in any other criminal activity.

6. Ld. Counsel has further submitted that applicant/accused is in JC since 18.06.2026. As per the case projected by the investigating agency, neither any co-accused remains to be arrested nor any recovery remains to be effected. Further submitted that the applicant/accused and complainant are relatives and now they have settled the matter, therefore, the complainant has no objection on the present bail application.

7. On the other hand, Ld. Addl. PP for State has opposed the bail application stating that allegations against the applicant/accused are serious in nature and if released on bail, possibility of tampering of evidence or to influence the witnesses can not be ruled out.

8. Submissions heard. Record has been perused.

9. As per the case projected by the investigating agency, there was a quarrel between two opposite parties and they were pelting stones upon each other. One of the stone accidentally hit the child on his head and no one intentionally targeted the child.

10. Further, one of the purpose of detention during investigation is to protect the witnesses. Here in this case, the complainant herself has stated that the applicant/accused is her relative and she has no objection on the present bail application. The complainant has further apprised the court that her child was discharged from the hospital after 03 days and now he is normal. There does not appear to be any permanent affect on the child.

11. In view of the above circumstances, without entering into much discussion upon the merits of the case, the present application stands **allowed** subject to condition of furnishing personal bond in the sum of **Rs. 25,000/ with one surety** in like amount to the satisfaction of this Court/Duty Magistrate. He shall abide by following conditions also:-

i) The applicant /accused shall provide his latest address to the IO /SHO concerned and in the event of change of address, he shall ensure that he provides his fresh address to IO /SHO concerned immediately.

ii) The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the court or to any police officer.

iii) He shall appear before the Court on each and every date of hearing.

12. Application stands disposed of.

13. It is needless to say that nothing stated hereinabove shall tantamount to expression of an opinion on the merits of the case.

14. Copy of this order be given dasti.

15. **Ordered accordingly.**