

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			BA1 No.1820 of 2023 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Tajhar Qayyum, learned counsel for the applicant. Mr. Sandeep Sharma, learned Brief Holder for the State. The applicant is seeking release on bail for his alleged involvement in the commission of offences under Section 395 and 412 of the IPC as it was registered against him by way of an FIR No.590 of 2022 at Police Station Kotwali Laksar, District-Haridwar. Primarily argument of the learned counsel for the applicant is that he would be entitled to be granted parity, as compared to the other co-accused persons, who have been already granted bail by the orders dated 01.12.2022 and 09.09.2022. As far as the aspect of parity is concerned, the conduct of the applicant of engaging himself into the multiple criminal activities is not in parlance to the other co-accused persons, whom the bail has already been granted. The other co-accused persons have

specifically been granted bail with an observation that since they are not carrying any criminal history, they were released on bail.

But, in the instant case when the Government Advocate was directed to file objection to the bail application, they have given the history chart and the following cases are shown to be registered against the present applicant, the details of which have been given hereunder:-

चालानी थाना	मु०अ०स०	धारा	नाम पता आवेदक
लक्सर	590/22	395,411 भादवि	महफूज उर्फ सोनू पुत्र महबूब नि० बाजूहेडी थाना कलियर जनपद हरिद्वार
	591/22	3/25 शस्त्र अधि	
कलियर	90/22	2/3 गंग० एक्ट	
	43/21	392,411, 341 भादवि	
	47/21	392, 411 भादवि	
	51/21	4/25 शस्त्र अधि	
	465/21	4/25 शस्त्र अधि	

The applicant argues that in most of the cases, which has been registered against him he has already been released on bail. Hence, he is entitled to be released on bail in the instant case too.

As far as this logic is concerned, this Court is not open to agree with it, for the reason being, that the other offences, which

		has been registered against the present applicant are almost of an akin nature of offences under Section 395 and 411 of the IPC and that in itself shows the mental bent of mind and the psychological status of the present applicant of constantly engaging himself in commission of offence under Section 395 and 411 of the IPC, for which he has been named as an accused person in other criminal cases, the history of which has been given above.
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A person having a criminal bent of mind and which is quite apparent from the history itself, merely because he has been released on bail in other cases, will not create an example for him to be considered for the grant of bail in the instant case too, as his release on bail would be an apparent threat of his possible engagement in commission of the offences of which he is habitual.

Thus, I am not inclined to release the applicant on bail and the present bail application is, accordingly, rejected.

(Sharad Kumar Sharma, J.)

12.09.2023