

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 34753 of 2023

Applicant :- Tasleem@ Bhoora

Opposite Party :- State of U.P.

Counsel for Applicant :- Sudhir Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.
2. The aforesaid case has been registered on the basis of an F.I.R. dated 09.11.2020 lodged against two Scooty borne unknown miscreants and seven named accused persons alleging that two Scooty borne miscreants had made indiscriminate firing with intention to kill the informant's father due to which the informant's and his driver got seriously injured. The F.I.R. further alleges that the named accused persons had threatened to kill the informant's father.
3. It is argued that the applicant was not named in the first information report. Subsequently, based upon the statement of co-accused Yashpal Tomar, the applicant was linked with the offence in question. He further argues that the main accused named in the FIR was exonerated and the chargesheet was filed against two accused persons. He further submits that one of the co-accused Yashpal Tomar has already been enlarged on bail by another Bench of this Court, vide order dated 19.9.2022 and the applicant has no criminal history prior to the offence in question and he is in jail since 22.3.2022 and as such he is entitled to be enlarged on bail on the ground of parity.
4. Learned AGA has opposed the bail application.
5. Considering the fact that the co-accused has been enlarged on bail, the applicant is entitled to be enlarged on bail on the ground of parity. In view thereof, the application is allowed.
6. Let the applicant **Tasleem@ Bhoora** be released on bail in FIR No. 725 of 2020, under sections 307 and 120B I.P.C., P.S. Brahmipuri, district-Meerut, on his furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of court

concerned with the following conditions:

- (a) The applicant shall execute a bond to undertake to attend the hearings;
- (b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and
- (c) The applicant 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 from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 9.11.2023

Faridul