

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 36312 of 2023

Applicant :- Akash Rawat

Opposite Party :- State of U.P.

Counsel for Applicant :- Ashutosh Mishra, Shailendra Kumar Ojha

Counsel for Opposite Party :- G.A., Gaurav Sharma

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant, learned counsel for the informant, learned AGA and perused the record.

2. In terms of the FIR, allegations were leveled against unknown persons, subsequently on the basis of recovery, the applicant and one Km. Pooja were implicated.

3. It is argued that from the possession of the applicant Rs. 4,3000/- was allegedly recovered and the co-accused Km. Pooja from whose possession Rs. 3,50,000/- was allegedly recovered, has already been enlarged on bail by another Bench of this Court, vide order dated 5.10.2023 passed in Criminal Misc. Bail Application No. 41288 of 2023. He next submits that since the role of the applicant is identical to that of co-accused Km. Pooja, hence the applicant is also entitled to be enlarged on bail on the ground of parity. It is further submitted that applicant has no criminal antecedent except the present one and he is in jail since 17.6.2023.

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 **Akash Rawat** be released on bail in FIR No. 241 of 2023, under sections 380 and 411 I.P.C., P.S. Shahganj, district-Agra, 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