

Court No. - 64

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 41003 of 2023

Applicant :- Saddam And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Mohd. Abrar Khan

Counsel for Opposite Party :- G.A., Veer Singh

Hon'ble Siddharth, J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State and perused the material on record.

2. By means of this application, the applicants, Saddam and Farhad, who are involved in Case Crime No. 180 of 2023, under sections 147, 148, 149, 323, 506, 336, 307, 308 IPC and section 7 of C.L.A. Act, P.S. Karari, District Kaushambi and are in jail since 11.08.2023, are seeking enlargement on bail during the trial.

3. It is submitted by learned counsel for the applicants that similarly placed co-accused, Mohd. Asad, Adnan and Salim, have already been enlarged on bail by another bench of this Court by order dated 11.10.2023 passed in Criminal Misc. Bail Application No. 39373 of 2023. He has further submitted that since the role of the applicants are identical to that of co-accused, Mohd. Asad, Adnan and Salim, who has already been enlarged on bail, they are also entitled to be enlarged on bail on the ground of parity and for the reasons given in the order of co-accuseds.

4. The prayer for bail has vehemently been opposed by learned A.G.A.

5. Considering the submissions made by learned counsel for the applicants as well as learned A.G.A., this Court is of the view that the applicants have made out a case for grant of bail on the ground of parity.

In view of the above, let the applicants be released on bail on their executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the court concerned with the following conditions :-

1. The applicants will continue to attend and co-operate in the trial pending before the court concerned on the date fixed after release.
2. They will not tamper with the witnesses.
3. They will not indulge in any illegal activities during the bail period.

It is further directed that the identity, status and residence proof of the sureties be verified by the authorities concerned before he is accepted.

In case of breach of any of the above conditions, the trial court will be at liberty to cancel the bail.

Order Date :- 27.10.2023

RPD