

Neutral Citation No. - 2023:AHC:214537

Reserved On:- 06.11.2023

Delivered On:- 08.11.2023

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 41988 of 2023

Applicant :- Vikesh @ Pulkit

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Rama Shankar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Siddharth, J.

1. Heard Sri Rama Shankar Mishra, learned counsel for the applicant, learned A.G.A. for the State and perused the material on record.
2. The instant bail application has been filed on behalf of the applicant, Vikesh @ Pulkit, with a prayer to release him on bail in Case Crime No. 54 of 2023, under Sections- 354, 354Ka, 354Kha, 354Ga, 354Gha, 452, 504, 506, 306, 376, 511, 120-B IPC and 9/10 POCSO Act, Police Station- Kundarki, District- Moradabad.
3. There is main allegation against the applicant in the FIR lodged by the informant regarding commission of offences alleged in the FIR which compelled the deceased daughter of informant to commit suicide. Subsequently, co-accused, Kamal Singh, Bablu, Pramod and Hargyan, were also implicated.
4. Counsel for the applicant submits that the bail applications of all the co-accused have been allowed by this Court. The case of the applicant stands on identical footing and hence he should be granted bail on the ground of parity.

5. After going through the material on record, it is clear that the applicant is main accused who used to harass the victim while coming and going to school. He outraged her modesty and also tried to commit the offence of rape. His case does not stand on identical footing with other co-accused persons.

6. After hearing the rival contentions, this Court does not find any ground for granting bail to the applicant at this stage.

7. The bail application is accordingly, rejected.

8. The trial court is directed to conclude the trial against the applicant as expeditiously as possible, preferable within a period of six years from the date of production of certified copy of this order.

Order Date :- 08.11.2023

Rohit