

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46006 of 2023

Applicant :- Sunil Dutt Gupta

Opposite Party :- State of U.P.

Counsel for Applicant :- Bhanu Prakash Verma

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.
2. It is argued that the co-accused has been enlarged on bail, the bail orders are on record from Annexure No. 4.
3. The applicant was roped in with the offence in question, however, he did not have any information of the offence in question. The criminal history of the applicant is disclosed in para 19.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. Considering the nature of the allegations levelled in the FIR and the fact that co-accused has been enlarged on bail, and there is nothing on record to demonstrate that the applicant if enlarged on bail, would in any way adversely affect the trial and without expressing any opinion on merit, I am of the view that the applicant is entitled to be released on bail on the ground of parity.
6. Accordingly, the bail application is allowed.
7. Let the applicant **Sunil Dutt Gupta** be released on bail in FIR/ Case Crime No. 361 of 2016, under Sections 419, 420, 467, 468, 471, 272, 273 IPC & 64/65 of Copy Right Act, P.S. Rajghat, District Gorakhpur, on his furnishing personal bonds and two reliable sureties of Rs. 25,000/- each to the satisfaction of the 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 :- 21.11.2023

S.A.