

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45857 of 2023

Applicant :- Paras Gupta

Opposite Party :- State of U.P.

Counsel for Applicant :- Ram Pravesh Yadav, Shashank 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. As per the prosecution story, on 04.12.2021 in the morning at about 8:30 a.m. when the mother of the informant was cooking food, suddenly the applicant and other co-accused came there and started abusing her and attacked with sticks and rod upon the mother of the informant.

3. It is argued that as per prosecution case the main role of causing injury to the injured was assigned to the applicant. He further submits that from the perusal of the statement of the victim, it reveals that common role of causing injuries was assigned to both the accused and the other co-accused Raja Gupta has already been enlarged on bail by coordinate Bench of this Court, vide order dated 31.10.2022. He further submits that since the role of the applicant is identical to that of co-accused, hence the applicant, who has no criminal antecedents to his credit and he is in jail since 29.9.2023, 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.

5. Let the applicant **Paras Gupta** be released on bail in FIR No. 199 of 2021, under Sections 325, 323, 504 and 308 I.P.C., P.S. Sahatwar, district-Ballia 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 :- 7.11.2023

Faridul