

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 50132 of 2023

Applicant :- Keshav Sharma

Opposite Party :- State of U.P.

Counsel for Applicant :- Vinod Singh

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Heard learned counsel for the applicant, learned AGA for the State and perused the record.
2. The instant bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No.378 of 2023, under Sections 307, 341, 504, 506, 120B IPC, Police Station Kharkhoda, District Meerut, during the pendency of trial.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. It is also contended that the main accused, Roopam Sharma who had caused the injury on the shoulder of the victim has already been enlarged on bail by a co-ordinate Bench of this Court vide order dated 03.11.2023 passed in Criminal Misc. Bail Application No.46878 of 2023, therefore, the applicant may be enlarged on bail on the ground of parity as his case is on the better footing to that of the aforesaid co-accused. There is no previous criminal history of the applicant. There is no likelihood of abscondence or tampering with the evidence. He is in jail since 30.10.2023. In case he is enlarged on bail, he will not misuse the said liberty.
4. Learned AGA has opposed the prayer for bail. However, he could not dispute the factual aspects of the parity claimed by the counsel for the applicant.
5. Having regard to the facts, circumstances and the submissions made but without commenting on merits of the case, this Court is of opinion that the applicant is entitled to be enlarged on bail. Accordingly, the bail application is allowed.
6. Let the applicant - Keshav Sharma, involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

- (i) shall appear on the date fixed by the trial court;
- (ii) shall not tamper with the prosecution evidence;
- (iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 1.12.2023
Shahroz