

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 5265 of 2023

Applicant :- Mahasingh @ Ramu

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.

Counsel for Applicant :- Rakesh Kumar Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Rakesh Kumar Sharma, learned counsel for the applicant, Ms. Ankita Tripathi, learned A.G.A. for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 588 of 2021, under Sections 147/148/149/504/452/323/308, registered at Police Station Kakori, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 31.10.2021 against six persons including the applicant alleging that the accused persons entered the informant's house and assaulted his younger brother and other family members with small axe and iron rod.
4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history. The co-accused Sant Ram has been granted bail in the present case by this court by means of an order dated 30.05.2023, passed in Criminal Misc. Bail Application No.5269 of 2023.
5. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
6. Having considered the aforesaid facts and circumstances of

the case and keeping in view the fact that the applicant has no previous criminal history and he is languishing in jail since 06.02.2023 and a co-accused person has already been granted bail by this court and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime on the ground of parity.

7. Accordingly, this bail application stands **allowed**.

8. Let the **applicant- Mahasingh @ Ramu** be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

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

(Subhash Vidyarthi, J.)

Order Date :- 6.11.2023
Ram.