

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 8558 of 2023

Applicant :- Kailash Chandra Bhaskar

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Home Lko.

Counsel for Applicant :- Suresh Chandra Verma, Akhilash Kumar Singh, Praveen Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Suresh Chandra Verma, the learned counsel for the applicant, Sri Manish Kumar Pandey, learned A.G.A.-I 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. 382 of 2022, under Sections 419, 420, 467, 468, 471, 120-B I.P.C. and Section 66 D of Information Technology Act and Section 7 of Prevention of Corruption Act, registered at Police Station Hazratganj, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 04.11.2022 against Uptron Powertronics Limited and Kuldeep Singh besides some unknown persons alleging commission of illegalities in NEET Examination, 2021 by making unauthorized interference in the original data base and official website of Ayush Department. The applicant has been implicated in the present case as he was the Office Assistant (Class III employee) working in the Directorate of Ayush.
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.
5. The learned counsel for the applicant has submitted that eleven co-accused persons have already been granted bail in the present case and the copies of their bail orders have been annexed with the rejoinder affidavit filed on behalf of the applicant. The co-accused Satya Narain Singh, Director Ayush has already been

granted bail in the present case by means of an order dated 24.05.2023, passed by the learned Session Court.

6. The learned counsel for the applicant has further submitted that co-accused Dr. Umakant, who was the Office Incharge, has already been granted bail in the present case by means of an order dated 17.11.2023 passed by this Court in Criminal Misc. Bail Application No.11614 of 2023.

7. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter

8. As eleven co-accused persons have already been granted bail in the present case including co-accused Satya Narain Singh, who had been posted as Director Ayush and Dr. Umakant, who was the Office Incharge, and keeping in view the fact that that the applicant has no previous criminal history and he is languishing in jail since 17.11.2022 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 also on bail in the aforesaid crime on the ground of parity.

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

10. Let the applicant- **Kailash Chandra Bhaskar** 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.)