

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 10915 of 2023

Applicant :- Sarvanan

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

Counsel for Applicant :- Pooja Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Akhil Kumar Singh, Advocate holding brief of Ms. Pooja Yadav, the learned counsel for the applicant as well as Sri Manish Kumar Pandey, the learned A.G.A-I for the State and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 427 of 2022, under Section 41, 411, 413, 414 I.P.C., registered at Police Station Kotwali Rudauli, District Faizabad/Ayodhya.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 13.09.2022 against six persons, including the applicant, stating that on the basis of information received from a mukhbir, two men and four women were apprehended and several mobile phones, laptops and some cash were recovered from their possession.

4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent and he has been falsely implicated in the present case. The applicant's criminal history of two cases has been disclosed in para 15 of the affidavit, in one of which the applicant has been granted bail and copy of which has been annexed as Annexure no. 2 of the affidavit.

5. The learned counsel for the applicant has submitted that all the other co-accused persons have already been granted bail by means of an order dated 03.03.2023 and 31.05.2023 passed by a coordinate bench of this Court in Criminal Misc. Bail Applications No.3292 of 2023 and 6359 of 2023, respectively.

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

7. Having considered the aforesaid facts and circumstances of the case and without making any observations which may affect the merits of the case, I am of the view that the applicant is also entitled to be released on bail on the ground of parity.

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

9. Let the applicant- **Sarvanan** 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 the 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 :- 16.10.2023

Preeti.