IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF DECEMBER, 2020

BEFORE

THE HON'BLE MR. JUSTICE SREENIVAS HARISH KUMAR

CRIMINAL PETITION NO. 7410 OF 2020

BETWEEN:

Mr. Sumanth
S/o. Sri. Ramesh,
Aged about 24 years,
Residing at Door No.195,
8th Cross, Rammandira Road,
Bogadi, Mysuru-570001.

…Petitioner

(By Sri. A.L.Parashuram , Advocate)

AND:

State of Karnataka
By Saraswathipuram Police
Station, Mysuru
Represented by
State Public Prosecutor,
High Court Building,
Bengaluru-560001.

... Respondent

(By Sri. K.S.Abhijith, HCGP)

This Criminal Petition is filed under Section 439 Cr.P.C. praying to enlarge the petitioner on bail in Cr.No.70/2020 registered by Saraswathipuram Police Station, Mysuru, for the offence punishable under Sections 399 and 402 of IPC.

This Criminal Petition coming on for orders, through video conferencing this day, the Court made the following:

ORDER

This is a petition filed by accused no.2 in Cr.No.70/2020 registered by the respondent police for the offences punishable under Sections 399 and 402 of IPC. Charge sheet has also been filed.

2. Heard both sides.

3. The learned counsel for the petitioner submits that this court vide order dated 3.11.2020 in Crl.P.No.5591/2020 granted bail to accused no.5. On the ground of parity, the petitioner is also entitled to be released on bail. He also submits that since investigation is over, the continued detention of the petitioner is not necessary. He undertakes to abide by the conditions that this court imposes on him.

4. Government Pleader opposes granting of bail.

5. The prosecution case is that the credible information received by the police officer on 9.9.2020 led to arresting eight accused, who had gathered near Bogadi Ring Road for committing an offence of dacoity. They were all apprehended by the police.

6. Going by the allegations made in the charge sheet, the petitioner stands on the same footing with that of accused no.5 who has been admitted to bail. Therefore applying the rule of parity, petition is allowed and the bail is granted to the petitioner on the following conditions:

ORDER

i. Petition is allowed.

ii. The petitioner shall be released on bail on obtaining from him a bond for Rs.2,00,000/- (Rupees Two Lakh only) and providing two sureties for the likesum to the satisfaction of the trial court.

The petitioner is subjected to the following conditions:

a. *He shall not threaten the witnesses and destroy the evidence in whatsoever manner.*

b. *He shall regularly appear before the trial court till conclusion of trial.*

c. *He shall not involve in any case, if he involves in any other criminal case in future, bail will be cancelled.*

d. *Till conclusion of trial he shall mark his attendance in the respondent – police station once in a week, on a Sunday between 9.00 a.m. and 12.00 noon.*

Sd/-
JUDGE

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