

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57220 of 2022**

Arising Out of PS. Case No.-243 Year-2019 Thana- PARASBIGHA District- Jehanabad

Masudan Bind S/O Faresh Bind Resident Of Village- Hirdanchak, P.S.-  
Parasbigha, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE A. M. BADAR**

ORAL ORDER

4      10-05-2023                      The applicant/accused in Crime No. 243 of 2019 registered with Parasbigaha Police Station for the offences punishable under Sections 147, 148, 149, 341, 323, 307 and 302 of the Indian Penal Code, by this application has renewed his prayer for releasing him on bail during pendency of the trial. His earlier bail application was rejected by this Court on 21.01.2022.

Heard the learned counsel appearing for the applicant/accused as well as learned Additional Public Prosecutor appearing for the State.

The learned counsel for the applicant submits that co-accused with identical role, namely, Naulesh Bind, has already been directed to be released on bail vide order dated 26.07.2022 in Cr. Misc. No.60386 of 2021 by the coordinate



Bench of this Court and, therefore, on the principle of parity the applicant is entitled for bail.

The learned Additional Public Prosecutor opposed the application but has stated that the order dated 26.07.2022 in respect of Naulesh Bind is not challenged by the State before the superior Court.

I have considered the submissions so advanced and also perused the materials placed before me. It is not in dispute that order dated 26.07.2022 passed in Cr. Misc. No.60386 of 2021 granting bail to Naulesh Bind has attained finality. Evidence against the present applicant so also against said Naulesh Bind is identical in nature. The coordinate Bench has already released Naulesh Bind on bail and, therefore, left with no option this Court passes the following order on the principle of parity:-

i. The application is allowed.

ii. The applicant/accused in Crime No. 243 of 2019 registered with Parasbigaha Police Station, giving rise to S.T. No.146 of 2021, be released on bail on executing P.R. bond of Rs.20,000/- (Rupees Twenty Thousand) and on furnishing two sureties of the like amount each to the satisfaction of the trial court with the following conditions: -



(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

**(A. M. Badar, J)**

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