

# Sanjay Sahu vs State Of U.P. on 18 April, 2023

**Author: Deepak Verma**

**Bench: Deepak Verma**

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 87

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 16055 of 2023

Applicant :- Sanjay Sahu

Opposite Party :- State of U.P.

Counsel for Applicant :- Saurabh Basu, Prashant Agrawal

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

Heard learned counsel for the applicant; Sri Ram Adhar Ram, learned A.G.A. on behalf of State and perused the record.

The instant bail application has been filed on behalf of the applicant, with a prayer to release him on bail in Case Crime No. 65 of 2023, under Sections 420, 467, 468, 471, 272, 273 I.P.C., and Section 59 Food Safety and Standard Act, 2006, P.S. Rath, District Hamirpur, during pendency of trial.

It is submitted by learned counsel for the applicant that applicant is innocent and has been falsely implicated in the present case. He next argued that similarly placed co-accused, namely, Sandeep Srivas @ Dhalchandra, Laxman Rajpoot and Pushpendra Gupta have been granted bail by Co-ordinate Bench of this Court vide orders dated 31.3.2023 and 13.04.2023 passed in Criminal Misc. Bail Application Nos. 14407 of 2023, 1443 of 2023 and 15399 of 2023, respectively. He further submits that applicant's case is on better footing, hence, the applicant is also entitled to be enlarged

on bail on the ground of parity. Criminal history of the applicant has been explained in para-2 of the supplementary affidavit. He is languishing in jail since 14.03.2023. In case, he is released on bail, he will not misuse the liberty of bail and will cooperate in trial.

On the other hand, learned AGA opposed the prayer for bail but could not dispute the aforesaid facts.

Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of accused and the fact that the case of the applicant is similar to that of co-accused, who have been granted bail and without expressing any opinion on the merits of the case and the law laid down by the Apex Court in Satendra Kumar Antil Vs. C.B.I. & Another, passed in S.L.P.(Crl.) No. 5191 of 2021, the Court is of the view that the applicant has made out a case for bail. The bail application is allowed.

Let the applicant, Sanjay Sahu be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

1. The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, during the investigation or trial.
2. The applicant shall cooperate in the trial sincerely without seeking any adjournment.
3. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

Order Date :- 18.4.2023 Meenu Singh