

BA I No. 1221 of 2016

**Hon'ble U.C. Dhyani, J.**

Mr. Mohd. Safdar, Advocate for the applicant.

Mr. H.O. Bhakuni, A.G.A. along with Ms. Sangeeta Bhardwaj, Brief Holder for the State.

Applicant-Ikhlakh@Akhilakh, who is in jail in connection with case crime no. 133 of 2014 (ST No. 17/2015) under Section 395, 34, 396, 397, 412 of I.P.C., registered at Police Station-Raipur, District Dehradun, has sought his release on bail.

Heard learned counsel for the parties, considered the grounds taken up in the bail application and perused the documents brought on record.

As per FIR which was lodged on 10.9.2014, against five unknown miscreants who allegedly fired upon the son of the informant, killed and looted cash alongwith valuables from the informant's house. The informant, his mother-in-law and tenant were also injured.

Learned counsel for the applicant submitted that applicant is not a previous convict and his name came to light only on the basis of the statement of Sajid@Sonu who disclosed involvement of the present applicant in the crime.

Co-accused Sajid@Pahalwan, Sajid @ Sonu and Shazad@Yameen have already been granted bail by this Hon'ble Court.

Since the case of present applicant is identical to other co-accused persons, therefore, he should be granted bail on the ground of parity.

Learned counsel for the applicant submitted that applicant is ready to submit reliable sureties to the satisfaction of Magistrate concerned, if he is granted bail.

Let the applicant be released on bail on his executing a personal bond and furnishing two reliable sureties, each of like amount, to the satisfaction of the Magistrate concerned.

If at any point of time, it is found that the applicant is misusing the bail, the learned Court below shall be at liberty to cancel his bail in accordance with law.

**(U.C. Dhyani, J.)**

31.8.2016

Pooja