

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 17600 of 2023

Applicant :- Purushottam Mishra

Opposite Party :- State of U.P.

Counsel for Applicant :- Faya Nath Dubey, Ram Brij Napit

Counsel for Opposite Party :- G.A., Saurabh Kumar Pandey

Hon'ble Pankaj Bhatia, J.

1. Heard learned Counsel for the applicant, Sri Saurabh Kumar Pandey for the informant and learned A.G.A.

2. This is second bail application. The first bail application was rejected by this Court vide order dated 26.10.2021.

3. Counsel for the applicant argues that on instruction he can state that he is ready to return the amount of Rs. 7,70,000/- which was alleged to have taken by the applicant. However, he requires certain time to pay the said amount after being enlarged on bail.

Learned Counsel for the informant is present. He has no objection to the grant of bail subject to the condition that the money is paid by the applicant.

In view thereof, the applicant is enlarged on bail subject to the condition that the applicant files an Affidavit before the trial court that he will pay an amount of Rs. 2,50,000/- on or before one month from the date when he is enlarged on bail. He shall further file an Affidavit that he shall pay the balance amount of Rs.5,20,000/- on or before 31.3.2024. In case the applicant is not able to pay the amount aforesaid, the applicant shall surrender before the trial court on 1.4.2024.

6. Accordingly, the bail application is ***allowed***.

7. Let the applicant - Purushottam Mishra be released on bail in Case Crime No.0767 of 2020, under Sections - 420/467/468/471 I.P.C., P.S. - Ramgarh Tal, District - Gorakhpur, on his furnishing personal bonds and two reliable sureties of Rs.25,000/- each to the satisfaction of the court concerned with the following conditions:

(a) The applicant shall execute a bond to undertake to attend the hearings;

(b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer

or tamper with the evidence.

Order Date :- 6.11.2023

Irshad