

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 28053 of 2023

Applicant :- Vivek Chaudhary

Opposite Party :- State of U.P.

Counsel for Applicant :- Ravi Sahu, Anand Mohan Pandey, Deepak Sharma

Counsel for Opposite Party :- G.A., Mohd. Ashraf Abbasi

Hon'ble Pankaj Bhatia, J.

1. Counter Affidavit filed today is taken on record.
2. Heard learned counsel for the applicant, learned AGA and perused the record.
3. The accused-applicant seeks bail in Case Crime No.06 of 2023 under sections 420, 406, 467, 468, 471, 504, 506 IPC, P.S. Rawatpur, District Kanpur Nagar.
4. The FIR in question was lodged alleging that the applicant had enticed the informant to part with valuable security, it is alleged that the applicant was the person involved in introducing the applicant with the vendor who had executed the sale deed beyond the ownership. The vendor is said to be one Awadhesh Srivastava.
5. The counsel for the applicant argues that the applicant was only a mediator and was not a vendor or vendee to the sale deed. He however, offers that the amount of Rs.2,00,000/- (Two Lacs) taken by the applicant as the fee of the mediator shall be returned to the informant.
6. In view of the said statement and offer made by the applicant, the applicant is entitled to be enlarged on bail. Thus the bail application is allowed.
7. Let the applicant Vivek Chaudhary be released on bail in aforesaid first information report number subject to his furnishing a personal bond and two reliable sureties each of the like amount 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.

(d). The applicant shall handover an amount of Rs.2,00,000/- (Two Lacs) to the informant within a period of one month from today. In case the amount is not paid as per the undertaking given, the bail stands automatically cancelled and the court below shall be entitled to proceed to rearrest the applicant.

Order Date :- 1.11.2023

VNP/-