

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 38040 of 2023.

Applicant :- Morimisetty Pandu @ Balaji Vasudevan @ Ramlingam

Opposite Party :- State of U.P.

Counsel for Applicant :- Gaurav Kumar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard Sri Gaurav Kumar Shukla, learned counsel for the applicant, Sri Salil Tripathi, learned A.G.A for the State and perused the record.

2. The instant bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 0306 of 2022, under Sections 120-B, 409, 420, 467, 468, 471 of the I.P.C, Police Station Dewraniya, District - Bareilly, during the pendency of trial.

3. Learned counsel for the applicant has submitted that the applicant has nothing to do with the alleged incident and he is innocent and has been falsely implicated in the instant case. In the present case the informant has lodged the F.I.R to harass the applicant and his family to settle the pending civil dispute. Learned counsel for the applicant has further contends that the applicant has resigned on 03rd May, 2017, he remained as Co-Director of the concerned Company from the date of inauguration of the Company up to 03rd May, 2017 and during the said period no alleged offence has committed. The applicant has explained his criminal history, in which he has already been enlarged on bail and in rest four criminal cases the applicant is in jail. Learned counsel for the applicant further contends that criminal history may be the reason to reject his bail application, but the facts and circumstances of the concerned case should be considered at the time of disposal of the bail application. From perusal of the record, it is very much clear that no offence was committed during the aforesaid period when the applicant was the Co-Director in the Company. The applicant is in jail since 29.12.2022. In case, he is enlarged on bail, he will not misuse the said liberty.

4. Learned AGA has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions made by the counsel for the applicant.

5. Having regard to the submissions made but without commenting on merits of the case, this Court is of opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant - **Morimisetty Pandu @ Balaji Vasudevan @ Ramlingam**, involved in the aforesaid case crime 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 the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 31.10.2023

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