

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 35939 of 2023

Applicant :- Uditraj Singh

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Manjari Singh

Counsel for Opposite Party :- G.A.,Anuj Srivastava

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant, learned AGA; Shri Anuj Srivastava, learned counsel for the informant and perused the record.

2. The FIR in question was lodged by the informant which is a Bank, alleging that a loan was taken by impersonation and on the basis of forged documents. Subsequently, on the basis of an order passed by this Court, a Due Diligence Report has been filed alongwith the counter affidavit, which discloses that prior to sanction of loan, a visit was also made to the residence and a further Due Diligence Report was obtained from M/s Akshat Gupta & Associates. It further records that verification of PAN as well as Aadhar and ITR was also got done prior to grant of loan. In the light of the said, counsel for the applicant argues that the allegations contained in the FIR are false. The applicant has no criminal antecedent and is in custody since 27.05.2023, and also the co-accused Rukesh and Shivam Pal have been enlarged on bail.

3. Learned AGA has opposed the bail application.

4. Although, no parity can be claimed by the applicant as the said two persons namely Rukesh and Shivam Pal, who have been enlarged on bail, are car dealers, however, the fact remains that on the basis of due diligence done prior to sanction of loan, all verification were done; the case against the applicant is to be established based upon documentary evidence, as such, the applicant who has no criminal antecedent and there is nothing to demonstrate that the applicant, if enlarged on bail, can in any way adversely affect the trial, is entitled to be enlarged on bail. In view thereof, the application is **allowed**.

5. Let the applicant **Uditraj Singh** be released on bail in FIR No.84 of 2023, under Section 406, 420, 467, 468, 471, 120B IPC, P.S. Nazirabad, District Kanpur Nagar on his furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of

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 :- 21.11.2023

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