

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 41818 of 2023

Applicant :- Amit Kumar Ram

Opposite Party :- State of U.P.

Counsel for Applicant :- Lalit Singh Tomar, Manvendra Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Counter affidavit filed on behalf of the State is taken on record.

2. Heard learned counsel for the applicant, learned AGA for the State and perused the record.

3. The instant bail application has been moved on behalf of the applicant with a prayer to enlarge him on bail in Case Crime No.448 of 2023, under Sections 406, 419, 420, 467, 468, 471 IPC, Police Station Kotwali, District Deoria, during pendency of the trial.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has falsely been implicated in the present case. The applicant has no concern with the allegations levelled in the FIR. It is nowhere mentioned either in the FIR or in the statement of any of the prosecution witnesses that any fraud has been committed by the applicant. The applicant is a law abiding citizen. There is no criminal history against the applicant. There is no likelihood of his abscondence or tampering with the evidence. The applicant is languishing in jail since 04.06.2023. In case the applicant is released on bail, he will not misuse the said liberty.

4. Learned AGA has vehemently opposed the bail application and submitted that the applicant has committed fraud and forgery with the students as he himself stated in his statement that he has taken fees from the students in installments and issued forged receipts to them. Therefore, the applicant is not entitled to be enlarged on bail and this bail application is liable to be rejected.

5. Considering the facts and circumstances of the case, submissions advanced by the counsel for the parties and the nature of offence, this Court is not inclined to grant bail to the

applicant. This Court is not satisfied that there are reasonable grounds for believing that he is not guilty of such offence and he would not commit any offence while on bail.

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

Order Date :- 7.11.2023

Shahroz