

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45492 of 2023

Applicant :- Saurabh Saini @ Saurabh

Opposite Party :- State of U.P.

Counsel for Applicant :- Saurabh Kumar, Hemant Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

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

2. The FIR in question was lodged alleging that the applicant is the employee of one Puneet Goyal. It was alleged that Puneet Goyal informed the police that his employee namely the applicant, was carrying an amount of Rs.26 lakh which was looted from him by two unknown persons. Subsequently, on inquiring from the applicant, he disclosed that he had collected the money from two persons. The police inquired from the said two persons and it was revealed that no such amount was handed over to the applicant. When the applicant was confronted with the said fact, he disclosed that the entire conspiracy was hatched by Puneet Goyal who had taken a loan and there was an insurance in his favour and only to claim insurance money, the whole story was set up.

3. Learned counsel for the applicant argues that from the applicant, an amount of Rs.13,100/- was allegedly recovered and as he was a simple employee and was acting at the instance of his master Puneet Goyal, he is being falsely implicated with the offence in question. The applicant has no criminal history and is in custody since 24.09.2023.

4. Learned AGA has opposed the bail application.

5. Considering the allegations levelled in the FIR, which are primarily of hatching a conspiracy and the allegations are mainly against Puneet Goyal coupled with the fact that there is no allegation of conspiracy at the instance of the applicant, the applicant has no criminal antecedent and there is nothing on record to demonstrate that the applicant, if enlarged on bail, can in any way affect the trial, as such, the applicant is entitled to be enlarged on bail. In view thereof, the application is **allowed**.

6. Let the applicant **Saurabh Saini @ Saurabh** be released on bail in FIR No.506 of 2023, under Section 420, 467, 468, 471, 182, 193, 211 & 120B IPC, P.S. Jahangirabad, District

Bulandshahar 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 :- 3.11.2023

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