

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45882 of 2023

Applicant :- Umakant Gupta

Opposite Party :- State of U.P.

Counsel for Applicant :- Vijay Bahadur Shivhare

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. It is argued by learned counsel for the applicant that initially the FIR was lodged against the applicant under Sections 406, 420 and 120B I.P.C. and section 3/7 Essential Commodities Act, in which the applicant was granted interim protection in an application moved U/s 482 Cr.P.C. No. 29120 of 2023, vide order dated 10.8.2023. He further argues that subsequently, on the basis fresh investigation, charges under sections 467, 468, 471 was added. It is further submitted that applicant has no criminal antecedent except the present one and he is in jail since 13.08.2023.

3. Learned AGA has opposed the bail application.

4. Considering the fact that interim protection was already granted to the applicant, vide order dated 10.8.2023 and subsequently fresh sections have been added and as such the applicant is entitled to be enlarged on bail. In view thereof, the application is allowed.

5. Let the applicant **Umakant Gupta** be released on bail in FIR No. 402 of 2022, under Sections 467, 468 and 471 I.P.C., P.S. Sumerpur, district-Hamirpur, 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 :- 7.11.2023

Faridul