

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47025 of 2023

Applicant :- Prashant Sharma

Opposite Party :- State of U.P.

Counsel for Applicant :- Deepak Singh Yadav, Vinod Kumar

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 certain unauthorized withdrawals were made from the account of the informant by use of forged cheques. The applicant was not named in the FIR. Subsequently, the applicant was apprehended and no recovery was affected from the applicant. It is argued that subsequent thereto, the applicant has been implicated in similar offences. He argues that the co-accused Shani Sharma has been enlarged on bail vide order contained at Page - 49 of the paper-book.

3. Learned AGA has opposed the bail application.

4. Considering the fact that the applicant was not named in the FIR, no recovery was affected and the co-accused with similar allegations has been enlarged on bail, the applicant is entitled to be enlarged on bail. In view thereof, the application is **allowed**.

5. Let the applicant **Prashant Sharma** be released on bail in FIR No.155 of 2022, under Section 419, 420, 467, 468, 471 IPC & Section 66-B.C.D. of Information Technology Act, P.S. Kalwari, District Basti 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/nishant