

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46842 of 2023

Applicant :- Dharmendra Yadav

Opposite Party :- State of U.P.

Counsel for Applicant :- Rajesh Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.
2. The FIR in question was lodged by the informant alleging that one Abhishek Singh cheated him by impersonation by claiming that he was very close to the PM Office and extracted unauthorized money from the informant on various dates.
3. The Counsel for the applicant argues that the applicant is not named in the FIR. Subsequently, in the statement made by the informant to the effect that along with the applicant, his driver and personal assistant were also involved, he was arrested. It is further argued that the applicant is only driver of Abhishek Singh and has no role to play with the offence in question.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. Considering the fact that the averments made in the FIR and even in the statement, prima facie, there is no allegation of extraction of money at the instance of the applicant, who is the driver of the main accused, I am of the view that the applicant is entitled to be released on bail.
6. Accordingly, the bail application is ***allowed***.
7. Let the applicant ***Dharmendra Yadav*** be released on bail in FIR/ Case Crime No.301 of 2023, under Sections 419, 420, 386, 504, 506 IPC, Police Station Bithoor, District Kanpur Nagar on his furnishing personal bonds and two reliable sureties of Rs.25,000/- each to the satisfaction of the 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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