

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 1141 of 2023

Applicant :- Arvind Kumar Mishra @ Ajay Kumar Mishra

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.

Counsel for Applicant :- Anita, Gauri Suwan Pandey, Purcham Mubarak, Ravi Prakash Nigam

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Sadhna Rani (Thakur), J.

Rejoinder affidavit filed on behalf of the applicant is taken on record.

Heard learned Counsel for the applicant, learned A.G.A. and perused the record.

The accused- applicant is involved in Case Crime No. 0047 of 2022, under Sections 419, 420, 467, 468, 471, 384 I.P.C. and 66d of I.T. Act, Police Station Vibhuti Khand, District-Lucknow.

It is argued by the learned counsel for the applicant that the applicant used to change his addresses and Aadhar Card to secure his job. Out of his criminal history of 7 cases, the applicant is on bail in 5 cases. The applicant is languishing in jail for the last 21 months, hence, the prayer for bail is made.

Learned A.G.A. opposed the prayer for bail of the applicant and submitted that the applicant is having criminal history of 7 cases to his credit apart from the present case. The applicant is a criminal mind-set person. At least in 1/3rd part of India, the applicant has committed the crime. He could be apprehended through the surveillance only. The applicant got various amounts deposited in his account by the various persons in the name of various officers working with the office of the Chief Minister. He has extorted money from several persons. The present applicant was using 10 mobile numbers mentioned in the FIR to give effect to the offences. The present applicant used to change his addresses for his safety purpose. From several persons, he extorted large amount of money and got it deposited in his account through IMPS, NEFT and UPI. Out of hundreds persons, some might have kept quiet and some might have filed the criminal cases against the applicant. At the time of arrest of the present applicant, four Aadhar Cards, two voters

cards, one PAN card, one cheque book, one pocket purse, one railway ticket, one bag, one hotel visiting card, one directory of telephone numbers of Government and Rs. 250/- in cash were recovered from the applicant.

From the perusal of the FIR, it is found that from the various districts information /complaints were being received by the STF officers that in the names of various officers working with the office of the Chief Minister and in the name of the Chief Minister, the money was being extorted by one Arvind Kumar Mishra and being received in the Union Bank of India bearing bank account no. 134522010000201. It is also the allegation that at least 10 mobile numbers mentioned in the FIR were being used by the present applicant. The applicant used to change his address frequently. It is also alleged that the applicant got prepared forged Transfer Certificate and got his admission in High School and on this changed name Arvind Kumar Mishra, got his first Aadhar Card and after that various more Aadhar cards and Election Cards of different addresses prepared in his name. When he was suffering from scarcity of money, from the directory of telephone numbers of U.P. Government, he noted the numbers and started extorting money from the persons impersonating himself as OSD of the State Government and other officers mentioned in the FIR. In the FIR hundreds of transactions through IMPS/ NEFT/UPI are shown in alleged account no. 134522010000201 of the applicant. The amounts and dates of several above mentioned transactions have been disclosed in the FIR along with names of the persons who were allegedly being extorted at the hands of the present applicant. This FIR has been lodged by Inspector Gyanendra Kumar Rai against the present applicant.

Perusing the record, going through the transactions mentioned in the FIR, considering the facts and circumstances of the case, the nature of allegations, arguments advanced by the learned counsel for the parties I do not find it to be a fit case for bail. The bail application is devoid of merit and is liable to be rejected.

The bail application of the applicant is hereby rejected.

Order Date :- 29.11.2023

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