

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 1527 of 2023

Applicant :- Furqan Ali

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

Counsel for Applicant :- Ajeet Kumar Singh, Amit Chandra, Gauri Suwan Pandey, Jitendra Kumar Yadav, Pancham Srivastava, Sudhir Kumar Srivastava

Counsel for Opposite Party :- G.A.

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

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

This application has been moved by the applicant with a prayer to enlarge him on bail in Case Crime No.410 of 2022, under Sections 420, 467, 468, 471 I.P.C., Police Station Hazratganj, District- Lucknow.

It is argued by the learned counsel for the applicant that there is allegation of using forged marksheet of B.A.M.S. at UAU for registration before the Board of Ayurvedic and Yunani Doctors Association. Co-accused Narendra Kumar, who is said to have prepared this forged document has already been granted bail from the trial court. The applicant is languishing in jail since 23.11.2022, hence, the prayer of bail is made.

Learned A.G.A., however, opposed the prayer and submitted that the present applicant getting forged marksheet in his favour had applied for registration before the Registrar Ayurvedic and Yunani Tibati Chikitsa Paddhati Board. This is the person, who used the forged marksheet to get him registered for practice in the medical field. The reply of the Incharge Registrar of Uttarakhand Ayurvedic University that the marksheet of applicant of B.A.M.S. was forged is on record.

As per FIR, there is allegation that the applicant used forged marksheet of B.A.M.S. at UAU for getting himself registered as a medical practitioner before the registrar concerned. However from the verification this marksheet was found to be forged. Admittedly the applicant could not get any benefit of this forged document and his registration was cancelled. The applicant is languishing in jail since 23.11.2022.

Perusing the record, considering the facts and circumstances of the case, the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merit of the case, I find it to be a fit case for granting bail to the applicant.

The bail application is allowed.

Let the applicant, **Furqan Ali**, who is involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions:-

1. The applicant will attend and co-operate in the trial pending before the court concerned on the dates fixed after release.
2. The applicant will not tamper with the witnesses.
3. The applicant will not indulge himself in any illegal activities during the bail period.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the trial court shall be at liberty to cancel the bail and send the applicant to the prison.

It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the ultimate merits of the case.

Order Date :- 6.12.2023

Radhika