

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 2955 of 2023

**Applicant :-** Surjeet Pal

**Opposite Party :-** State Of U.P. Thru. Prin. Secy. Home Deptt. Civil Sectt Lko.

**Counsel for Applicant :-** Kaushal Kishore Tewari, Anand Dubey, Prashant Dubey

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi, J.**

1. Heard Sri Anand Dubey, learned counsel for the applicant, Sri Jayant Singh Tomar, learned A.G.A. for the State and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 275 of 2022, under Section 409 I.P.C., registered at Police Station Kotawali Rudauli, District Ayodhya.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged by Chief Accountant, Revenue, Electricity Division, Rudauli alleging that the applicant works as Revenue Collector and during the period between 01.01.2021 to 30.04.2022 as against a collection of Rs.3,41,08,414/-, the applicant deposited merely Rs.2,91,41,162/- and he misappropriated/embezzled Rs.49,67,252/-.

4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and he has been falsely implicated in the present case.

5. The State has filed a counter affidavit annexing therewith copies of the statement collected during investigation and a copy of the charge-sheet submitted on 05.12.2022.

6. Rejoinder affidavit has been filed on behalf of the applicant.

7. Learned counsel for the applicant has submitted that the applicant used to deposit daily collected amount with the informant himself and it was the informant's duty to further deposit the same with the

department. Accounts were checked on regular basis and no discrepancy was reported therein. The FIR has been lodged by the person who himself was responsible for correct keep of the account.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant has no previous criminal history and he is languishing in jail since 01.10.2022 and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime.

9. Accordingly, this bail application stands **allowed**.

10. Let the **applicant-Surjeet Pal** be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

**(Subhash Vidyarthi, J.)**

**Order Date :- 12.10.2023**  
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