

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 4742 of 2023

Applicant :- Ankit Agrahari

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

Counsel for Applicant :- Amit Kumar Gupta, Shrawan Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Shrawan Kumar, the learned counsel for the applicant as well as Sri Manish Kumar Pandey, the learned A.G.A. for the State and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 244 of 2021, under Section 406, 420 I.P.C., registered at Police Station Kumarganj, District Ayodhya.

3. The aforesaid case has been registered on the basis of F.I.R. lodged against the applicant, one Sarvesh Agrahari and an unknown person on 13.08.2021, alleging that the informant had made some investments in a company, of which the applicant is a Director. No returns have been paid to the informant on the invested amount.

4. The applicant's involvement in 16 other cases has been disclosed in para 10 of the affidavit filed in support of the bail application, in 13 of which the applicant has already been granted bail. It has also been submitted on behalf of the applicant that the co-accused Sarvesh Agrahari has already been granted bail by this court by means of an order dated 19.10.2023, passed in Criminal Misc. Case No. 12449 of 2023.

5. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the grievance of the informant is regarding non refund of money invested in a company and no proceedings for claiming recovery of the money have been initiated by the applicant and the F.I.R. appears to have been lodged to pressurize the applicant for payment of money and co-accused Sarvesh Agrahari has already been granted bail without making any observations

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.

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

8. Let the **applicant-Ankit Agrahari** 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 the 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 :- 6.11.2023
Ram.