

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 6577 of 2022

Applicant :- Shyam Ji Mishra

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

Counsel for Applicant :- Ajay Kishor Pandey, Pramod Kumar Tiwari, Smt. Usha Tiwari

Counsel for Opposite Party :- G.A., Rohit Tripathi

Hon'ble Subhash Vidyarthi, J.

1. Heard Smt. Usha Tiwari, the learned counsel for the applicant, Smt. Parul Kant, the learned A.G.A.-I 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. 615 of 2021, under Sections 406, 420 & 504 IPC, Police Station Kotwali Nagar, District Ayodhya (Faizabad).
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 21.09.2021 against five persons, including the applicant, and his family members, stating that the accused persons had allured the informant to make investment in Maa Media House.
4. The informant was paid some bonus for some time but thereafter he was allowed to accept employment in Maa Media House and make other persons invest in the company. The informant got Rs. 62,50,000/- invested in the company and Rs. 3,50,000/- more were paid by him by transferring the same to the applicant's account but no amount was refunded to the applicant.
5. The learned counsel for the applicant has made a statement at Bar that the applicant is languishing in jail since 30.10.2021 and even charges have not been framed till date.
6. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the grievance of the informant is against non-refund of money invested in a

company, for which no civil proceedings have been initiated; that the applicant is languishing in jail since 30.10.202021 and even charges have not been framed even expiry of a period of more than two years, I am of the view that the applicant is entitled to be released on bail in the aforesaid crime.

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

9. Let the applicant-***Shyam Ji Mishra*** be released on bail in Case Crime No. 615 of 2021, under Sections 406, 420 & 504 IPC, Police Station Kotwali Nagar, District Ayodhya (Faizabad) 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 applicants shall not tamper with the prosecution evidence;

(ii) the applicants shall not pressurize the prosecution witnesses;

(iii) the applicants shall appear on each and every date fixed by the trial court.

Order Date :- 2.11.2023

Pradeep/-