

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 9880 of 2022

Applicant :- Ankur Srivastava @ Ankur Kumar Srivastava

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

Counsel for Applicant :- Chandra Shekhar Sinha, Gaurav Verma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Chandra Shekhar Sinha, learned counsel for the applicant, Sri Anurag Verma, 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.652 of 2020, under Sections 420 and 406 I.P.C., registered at Police Station Gazipur, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 10.11.2020 against two persons, including the applicant, stating that the informant had paid some money to R. Sons Associates for purchasing a plot of land in the name of his sons, however, neither the land was transferred nor was the informant's money refunded to him.
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. The applicant was a sleeping partner of R. Sons Associates.
5. It is stated that the applicant is involved in more than 60 cases of similar nature and the applicant has already been granted bail in 58 cases. The applicant is languishing in jail since 16.08.2020, without any progress in the trial.
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 grievance of the informant is regarding non execution of the sale-deed or non refund of money paid for purchase of immovable property and it appears that no agreement was executed regarding sale of immovable property; that the applicant has already been granted bail in 58 other cases of similar nature and yet he is languishing in jail since 16.08.2020 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.

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

9. Let the **applicant**-Ankur Srivastava @ Ankur Kumar Srivastava be released on bail in aforementioned 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 :- 26.10.2023
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