

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12073 of 2023

Applicant :- Om Prakash Verma

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

Counsel for Applicant :- Ajeet Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Shri Ajeet Kumar, learned counsel for applicant as well as Manish Kumar Pandey, learned A.G.A.-I and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.1038 of 2022, under Sections 406, 409, 420 IPC, Police Station Kotwali Nagar, District-Barabanki.
3. The aforesaid case has been registered on the basis of an FIR lodged on 28.09.2022 against three persons including the applicant stating that the informant had purchased a plot of land in Sankalp Vihar Project of S.T.S. group on 11.08.2021 but possession of the land was not delivered to him.
4. In the affidavit filed in support of the application it has been stated that the applicant has been falsely implicated in the present case. A supplementary affidavit has been filed on behalf of the appellant disclosing his involvement in 45 other cases and learned counsel for applicant submits that all those cases relates to transactions of the aforesaid company. The appellant has been granted bail in 16 cases.
6. Learned counsel for the applicant has also submitted that informant had not purchased sale deed from the company or from any of the accused person and he had purchased the land from a third person namely Suyash Verma. The applicant is languishing in jail since 17.01.2023 and the trial is yet to commence.
7. Two other co-accused persons namely, Atul Kumar Verma and Naved Ahmed have been granted bail in the present case by means of order dated 21.09.2023 and 24.08.2023 passed by this Court in Bail Applications No.11368 of 2023 10613 of 2023 respectively.
8. Having considered the aforesaid facts and circumstances 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- **Om Prakash Verma** be released on bail in Case Crime No.1038 of 2022, under Sections 406, 409, 420 IPC, Police Station Kotwali Nagar, District-Barabanki 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.

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[Subhash Vidyarthi, J.]

Order Date :- 12.10.2023

-Amit K-