

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12205 of 2023

Applicant :- Neeraj Mishra

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Home, U.P.
Lucknow

Counsel for Applicant :- Durgesh Kumar Shukla, Devansh Vikram Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Durgesh Kumar Shukla, 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. 115 of 2023, under Sections 406, 419, 420, 467, 468, 471, 120B, 34 I.P.C., registered at Police Station Kursi, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged by a Sub-Inspector of Special Task Force, Lucknow on 13.05.2023 against five named persons, including the applicant, and some unknown persons, alleging that an informer had told that co-accused persons, Abhishek Pratap Singh and Athar Hussain were indulged in commission of the offence and the applicant was about to come to meet the aforesaid persons. As per the FIR allegations, numerous documents, some rubber stamps and some appointment letters were recovered from co-accused, Abhishek Pratap Singh and it is alleged that all the accused persons confessed that they were indulged in providing forged appointment letters to the persons. Merely a mobile phone and Rs.800/- are said to have been recovered from the applicant's possession.

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. Applicant's involvement in two cases has been

disclosed in para 21 of the affidavit, one of which namely, Case Crime No.193 of 2023, under Sections 406, 419, 420, 467, 468, 471, 120B, 34 IPC, Police Station Chinhath, District Lucknow has been registered on the same set of allegations and the applicant has been granted bail in the aforesaid case by means of the order dated 05.10.2023 passed in CRIMINAL MISC. BAIL APPLICATION No.11901 of 2023.

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

6. Having considered the aforesaid facts and circumstances of the case 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.

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

8. Let the **applicant**-Neeraj Mishra be released on bail in the 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 :- 13.10.2023
prateek