

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12289 of 2023

Applicant :- Dileep Kumar Verma

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

Counsel for Applicant :- Pushpendra Chauhan, Atul Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Atul Kumar, learned counsel for the applicant, Sri Amitabh Chaturvedi, 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.71 of 2022, under Sections 406, 419, 420, 467, 468, 471, 504, 120B I.P.C., registered at Police Station Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 23.01.2022 against five persons, including the applicant, in furtherance of an application under Section 156(3) Cr.P.C. filed on 10.03.2023, stating that the informant and his family members had made investments in Vishwash Trading Company. Cheques given towards payment of returns on the investments in October and November, 2020 were returned by the Bank as the account had been blocked.

4. Learned counsel for the applicant has submitted that the applicant is involved in five other cases of similar nature, in all of which the applicant has been granted bail and copies of the bail orders have been annexed with the affidavit with the affidavit filed in support of the application.

5. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case.

6. The learned A.G.A. has opposed the prayer for bail and on the

basis of instructions, he has submitted that the Bank account of Vishwash Trading Company was frozen in July, 2021. It is alleged that thereafter the accused persons opened new account with similar names and deceived investors.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that it has come to light during investigation that bank account of Vishwas Trading Company was frozen in July, 2016 whereas the FIR does not disclose date of investment; that the informant and family members had made investments in the Company and even as per the instructions received by learned A.G.A., the informant was neither the Director nor any principal position holder in the Company and the applicant claims that he was working as an Agent; that the applicant has already been granted bail in five other cases; 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-Dileep Kumar Verma** 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 :- 16.10.2023
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