

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12212 of 2023

Applicant :- Mithlesh Verma

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

Counsel for Applicant :- Ajeet Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Ajeet 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.644 of 2022, under Sections 420 and 409 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 02.07.2022 against eight persons, including the applicant, alleging that the informant made investment in STS/Sankalp Group but upon maturity no amount was paid to the investors.

4. 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. A supplementary affidavit has been filed on behalf of the applicant disclosing her involvement in 42 other cases of similar nature and the applicant has been granted bail in six cases.

5. Learned counsel for the applicant has submitted that the informant had not made any investments in STS/Sankalp group as alleged in the FIR.

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 applicant has already been granted bail in six other cases of similar nature and she is a woman aged about 70 years; that the applicant is languishing in jail since 24.11.2022 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-Mithlesh Verma** 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
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