

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12217 of 2023

Applicant :- Jainuddin Ansari

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

Counsel for Applicant :- Samrat Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Samrat Gupta, learned counsel for the applicant, Sri Jayant Singh Tomar, learned A.G.A.-I 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. 48 of 2021, under Sections 409, 420, 504, 506 IPC, Police Station Gomti Nagar, District Lucknow.
3. The aforesaid case has been registered on the basis of an FIR lodged on 20.01.2021 against six persons, including the applicant, stating that the informant had made investments of some amount in Massire Group of Companies. Returns were transferred to the informant's account as per the agreement, for two months, but thereafter no amount was paid to the informant.
4. In the affidavit filed in support of the application, it has been stated that the applicant had been appointed on the post of Marketing of the company and he was merely an employee of the company. The applicant's criminal history of 53 cases has been disclosed in para 33 of the affidavit and the learned counsel for the applicant states that the applicant has already been granted bail in 49 other cases.
5. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the grievance of the informant is against non refund of money invested in the company; that the applicant claims that he was an employee of the company and he was neither a director nor other principal position holder in the company and that he has already been granted bail in 49 other cases of similar nature and yet he is languishing in jail since 02.08.2021, I am of the

view that the applicant is entitled to be released on bail in the aforesaid case.

6. Accordingly, this bail application stands allowed.

7. Let the applicant-Jainuddin Ansari be released on bail in Case Crime No. 48 of 2021, under Sections 409, 420, 504, 506 IPC, Police Station Gomti Nagar, District Lucknow 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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