

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12458 of 2023

Applicant :- Mithlesh Verma

Opposite Party :- State Of U.P Thru. Prin. Secy. Home Deptt. Civil Sectr. 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, and Sri Amitabh Chaturvedi, learned Addl. Government Advocate, and perused the record.
2. By means of the instant application the applicant Mithlesh Verma seeks bail in Case Crime No. 841 of 2022, under sections 420, 409, I.P.C., P.S. Kotwali Nagar, District Barabanki.
3. The aforesaid case has been registered on the basis of a first information report (F.I.R.) lodged on 19.08.2022 against 6 persons, including the applicant, stating that the co-accused Sangam Verma had introduced himself to the informant as Director of Lifelong Care Multi State Agro Co-operative Pvt. Ltd., which company provides plots of lands under the name and style STS Infra Built. The FIR states that the applicant was working as a Director in the aforesaid Company. The F.I.R. has been lodged when the informant did not get possession of the land from the Company.
4. In the affidavit filed in support of the bail-application it has been stated that the applicant is innocent and she has falsely been implicated in the present case. The applicant's criminal history of 12 cases arising out of dealings of the aforesaid Company has been disclosed in para-12 of the affidavit filed in support of the bail application, in 5 of which the applicant has already been granted bail.
5. The learned counsel for the applicant has submitted that several co-accused persons have already been granted bail and copies of their bail orders have been annexed as Annexure no. 7 to the affidavit. Another co-accused Naved Ahmad has already been granted bail by means of an order dated 14.07.2023 passed by

this Court in Criminal Misc. Bail Application No.7639 of 2023.

6. The learned A.G.A. has opposed the prayer of the 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 even as per the FIR averments, the applicant was merely a director of the Company and out of 42 cases in which he has been implicated, the applicant has already been granted bail in 5 cases and several co-accused persons have already been granted bail in the present case, I am of the view that the applicant is entitled to be released on bail in the present case also.

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

9. Let the applicant **Mithilesh Verma** be released on bail in the aforesaid case, on his 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 :- 19.10.2023

Preeti.