

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12608 of 2023

Applicant :- Amrendra Kumar Singh

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

Counsel for Applicant :- Dhirendra Singh Panwar, Prashant Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Dhirendra Singh Panwar, the learned counsel for the applicant as well as Sri Sri Vinod Kumar Shahi, the learned Additional Advocate General assisted by Sri Anurag Verma and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 06 of 2021, under Section 409, 120-B I.P.C., registered at Police Station SIT, UP, District Lucknow.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 20.03.2021 against 12 persons, including the applicant alleging certain illegalities committed in making payment for 137 works carried out by the Uttar Pradesh Rajkiya Nirma Nigam between the periods 2004-05 to 2012-13.
4. The applicant was working as an accountant during the relevant period and he has retired after attaining an age of superannuation on 31.08.2021.
5. It has further been stated that in the affidavit filed in support of the bail application that the applicant has been implicated in 9 more F.I.Rs. arising out of similar allegations which have been mentioned in para 26 of the affidavit.
6. The learned counsel for the applicant has submitted that co-accused Suraj Parasad Chaubey, has already been granted bail by means of an order dated 19.09.2023 passed by this Court in Criminal Misc. Bail Application No.11272 of 2023.
7. The learned Additional Advocate General has vehemently opposed the anticipatory bail application and he has submitted that the F.I.R indicates commission of offence by various persons in construction of various works,

causing huge wrongful loss to the public exchequer and the aforesaid facts do not warrant discretion of this court by granting pre arrest bail to the applicant

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the works in question were carried out between the year 2004 to 2013 and the F.I.R has been lodged in the year 2021; that the applicant claims to have cooperated during investigation and he is already stands retired and in case of his release, the applicant will not be in a position to influence the witnesses and tamper with the evidence and a co-accused has already been granted bail and without making any observations which may affect the merits of the case, I am of the view that the applicant is also entitled to be released on bail

9. Accordingly, this bail application stands allowed.

10. Let the applicant- **Amrendra Kumar Singh** be released on bail in the aforesaid case, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the 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 :- 30.10.2023
Preeti.