

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 12642 of 2023

**Applicant :-** Brijendra Singh Rajput

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

**Counsel for Applicant :-** Durgesh Kumar Singh

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi,J.**

1. Heard Sri Durgesh Kumar Singh, learned counsel for the applicant, Sri Arpit Kumar, the 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. 420 of 2019, under Sections 409, 420, 506 I.P.C., registered at Police Station Vibhuti Khand, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 04.07.2019 against three persons including the applicant, alleging that the informant has paid some amount for becoming a distributor of Sansally Green Technology Pvt. Ltd. wherein the applicant is a Director and the informant was provided supplies for sometime but thereafter supplies were stopped and the informant's money was not refunded.
4. In the affidavit filed in support of bail application, it has been stated that the parties have already entered into settlement on 21.07.2023, copies whereof has been placed on record as annexure-4 to the affidavit wherein it has been recorded that entire amount of the informant has been paid and informant has no grievance left against the accused persons.
5. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent and he has been falsely implicated in the present case. The applicant's criminal history of two cases has been disclosed in para 18 of the affidavit, in both of which the applicant has been granted bail.
6. The learned counsel for the applicant has submitted that two co-accused persons, namely, Chandresh Singh and Medha Shukla, have been granted bail by

means of the orders dated 03.04.2023 and 23.08.2023 passed in Criminal Misc. Bail Applications No.4415 of 2023 and 10528 of 2023, respectively.

7. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that grievance of the informant already stands redressed by the accused-persons and that two co-accused persons have already been granted bail 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.

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

10. Let the applicant- **Brijendra Singh Rajput** 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 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 :- 28.10.2023**

**Preeti.**