

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12690
of 2023

Applicant :- Abhinav Kumar Singh

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

Counsel for Applicant :- Niraj Singh, Sant Vijay Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Sant Vijay Singh, the learned counsel for the applicant, Sri Anant Pratap Singh, the 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 FIR No. 844 of 2022, under Sections 420, 409, 504 I.P.C., registered at Police Station Gomti Nagar, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 28.0.2020 against three persons, not including the applicant stating that the applicant had invested Rs.18,000/- in Massayar Group of Companies under an allurement of lucrative return but no amount was paid to the informant.
4. During investigation, one of the named accused persons, Ratanchandra Dwivedi stated that he did not hold any position in the company and he used to work in Massayar Harbal Care Private Ltd., along with other three persons including the applicant.
5. Raten Chand Dwivedi already been enlarged on bail vide order dated 23.11.2021 passed by Special Judge, S.C./S.T. Lucknow, a copy whereof has been annexed in the supplementary affidavit.
6. The applicant is involved in 19 other cases of similar nature, in 18 of which, he has already been enlarged on bail. The applicant has been languishing in jail since 25.07.2021.
7. Co-accused Jai Prakash Prajapati has been granted bail by means of an order dated 02.08.2023 passed by this Court in Criminal Misc. Bail Application No. 9726 of 2023.
8. The learned A.G.A. has opposed the prayer for bail but he

could not dispute the aforesaid aspects of the matter.

9. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the informant has not levelled any allegation against the accused; that he has been implicated on the basis of statement of co-accused persons and two co-accused persons have already been granted bail and the applicant is languishing in jail since 25.07.2021 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.

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

11. Let the applicant-***Abhinav Kumar Singh*** be released on bail in FIR No. 844 of 2022, under Sections 420, 409, 504 I.P.C., registered at 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.

Order Date :- 3.11.2023

Pradeep/-