

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 2461 of 2023

Applicant :- Praveen Kumar

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Home U.P.
Lko. And Another

Counsel for Applicant :- Vinay Kumar Verma, Neetesh Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Vinay Kumar Verma, the learned counsel for the applicant as well as Sri Anant Pratap Singh, the learned Additional Government Advocate appearing on behalf of the State and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No.0252 of 2020, under Sections 420, 409, 506 I.P.C., registered at Police Station Ghazipur, District Lucknow North.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 04.04.2020 against ten persons, alleging that the informant had invested Rs.2,16,55,000/- in Blue Mart Enterprises under allurement of lucrative of 5% per month interest but his money was not refunded.
4. In the affidavit filed in support of the anticipatory bail-application, it has been contended that the applicant was an investor in the Blue Thow Trading Priavte Limited Company and he has been wrongly made as a Director of the Company by misusing his documents.
5. The learned counsel for the applicant has submitted that the co-accused Sagar Ghosh, has already been granted bail by means of an order dated 29.08.2023 passed by this court in Criminal Misc. Anticipatory Bail Application No. 1919 of 2023.
6. The learned A.G.A. has opposed the prayer for 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 grievance of the informant regarding non refund of money invested in the Company under allurement of lucrative return and it appears that no proceedings for recovery of money has been initiated; and that the three accused persons have already been granted bail, and coupled with the fact that the applicant has no criminal history and without making any observations which may affect the outcome of the case, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant.

8. In view of the above, the anticipatory bail application of the applicant is **allowed**. In the event of arrest/ appearance of applicant- **Praveen Kumar** before the learned Trial Court in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness;

(Subhash Vidyarthi,J.)

Order Date :- 2.11.2023

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