

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C. No. - 2473 of 2023

Applicant :- Praveen Kumar Maurya

Opposite Party :- Central Bureau Investigation Thru. S.P. Head Branch Anti Corruption Branch Lko And Another

Counsel for Applicant :- Brahmendra Pratap Singh, Vivek Kumar Verma

Counsel for Opposite Party :- Anurag Kumar Singh

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Vivek Kumar Verma, the learned counsel for the applicant as well as Sri Dharmendra Pratap Singh holding brief of Sri Anurag Kumar Singh, the learned counsel for the respondent-C.B.I. and perused the records.

2. The instant application has been filed by the applicant seeking anticipatory bail in R.C. No. RC0062020A0002, Criminal Case No. 310/2021 under Sections 120B, 409, 420, 467, 468 & 471 IPC and Section 13(2) r/w 13(1)(c) and (d) of P.C. Act, 1988, Police Station - C.B.I./ACB, District - Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 09.01.2020 against five named persons, not including the applicant and some unknown persons, in furtherance of a complaint dated 07.01.2020 sent by the Regional Manager of State Bank of India, Lucknow, stating that 96 Kisan Credit Card loans were sanctioned and disbursed during the period of 2014 to 2017 on the basis of forged record of rights (Khataunies). The applicant has also availed a loan, which is the subject matter of the aforesaid complaint.

4. In the affidavit filed in support of the anticipatory bail application it has been contended that the applicant is innocent, he has falsely been implicated in the present case and he has no criminal history. He has also cooperated with the investigation which stands acquitted.

5. The learned counsel for the applicant has submitted that four co-accused persons, namely, Prakash Chandra Vidyarthi, Ravi Shanker Pandey, Chandra Shekhar and Priyanka Lodhi, have been granted anticipatory bail by this Court vide orders dated 17.10.2023, 19.09.2022, 17.08.2023 and 04.10.2023 passed in

Criminal Misc. Anticipatory Bail Applications (U/S 438 Cr.P.C.) No.1214 of 2022, 13956 of 2021, 639 of 2022 and 640 of 2022 respectively.

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 the investigation already stands acquitted and there is no need for custodial interrogation of the applicant and that a similarly situate co-accused persons have been granted bail 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 applicants is **allowed**. In the event of arrest/ appearance of applicant- **Praveen Kumar Maurya** 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/Preeti.