

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13213 of 2023

Applicant :- Athar Husain

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

Counsel for Applicant :- Ravindra Kumar Yadav, Pramod Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Ravindra Kumar Yadav, learned counsel for the applicant, Sri Anant Pratap Singh, 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. 115 of 2023, under Sections 406, 419, 420, 467, 468, 471, 120B, 34 I.P.C., registered at Police Station Kursi, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged by a Sub-Inspector of Special Task Force, Lucknow on 13.05.2023 against five named persons, including the applicant, and some unknown persons, alleging that an informer had told that the applicant and Abhishek Kumar Singh were indulged in commission of the offence. As per the FIR allegations, numerous documents, some rubber stamps and some appointment letters were recovered from Abhishek Pratap Singh and it is alleged that all the accused persons confessed that they were indulged in providing forged appointment letters to the persons.

4. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and has no criminal history.

5. The learned counsel for the applicant submits that the co-accused persons, namely, Neeraj Mishra and Abhishek Kumar Singh alias Abhishek Pratap Singh have been granted bail in the aforesaid case by means of the orders dated 13.10.2023 & 30.10.2023 passed by this Court in CRIMINAL MISC. BAIL APPLICATION Nos. 12205 of 2023 & 9262 of 2023 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 two co-accused have already been granted bail, 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.

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

9. Let the applicant-***Athar Husain*** be released on bail in the aforementioned 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.

Order Date :- 7.11.2023

Pradeep/-