Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13175 of 2023

Applicant :- Jai Prakash Prajapati
Opposite Party :- State Of U.P Thru. Prin. Secy. Home Civil Secrt. Lko.
Counsel for Applicant :- Sudhir Kumar,Sunil Kumar Singh
Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Sudhir Kumar, learned counsel for the applicant, Ms. Ankita Tripathi, 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.64 of 2022, under Sections 409, 420 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 18.01.2022 against 6 persons, including the applicant who is described in the F.I.R. as Senior Team Leader of the Company, alleging that the informant had made some investment in Massire Infrateck Private limited but upon maturity no amount was paid to the informant.

4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and he has been falsely implicated in the present case. The applicant is involved in 51 cases of similar nature, in 47 of which the applicant has already been granted bail. It has also been stated that the co-accused persons Ratan Chand Dwivedi and Jainuddin Ansari who are the Managing Director and Director of the company respectively, have already been enlarged on bail by the court below.

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

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the grievance of the informant is regarding non-payment of the amount invested in a company and the Managing Director and a Director of the company have already been enlarged on 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.

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

8. Let the **applicant-Jai Prakash Prajapati** 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 :- 7.11.2023
Ram.

Digitally signed by :-
RAM SINGH
High Court of Judicature at Allahabad,
Lucknow Bench