

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2591 of 2023

Applicant :- Ram Babu

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

Counsel for Applicant :- Amit Kumar Singh, Nilesch Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Amit Kumar Singh the learned counsel for the applicant, Sri Jayant Singh Tomar, the learned AGA-I for the State and perused the records.

2. The instant application has been filed by the applicant seeking anticipatory bail in Case Crime No. 294 of 2021, under Sections 419, 420, 467, 468, 471 IPC, Police Station Baldirae, District Sultanpur.

3. The aforesaid case has been registered on the basis of an FIR lodged on 12.08.2021 alleging that the applicant had secured appointment on the post of Assistant Teacher in basic school on 26.08.2016. Subsequently, upon verification, it was found that educational certificates of the applicant were fake. The applicant has been terminated from service by means of the order dated 07.04.2021.

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

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant has already been terminated from service and he does not appear to be in a position to influence the witnesses or tamper with the evidence 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-Ram Babu** before the learned Trial Court in the aforesaid complaint case, 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.

Order Date :- 9.11.2023

Renu/-