Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13234 of 2023

Applicant :- Atul Kumar Verma
Opposite Party :- State Of U.P Thru. Prin. Secy. Home Deptt. Civil Secrt. Lko.
Counsel for Applicant :- Ajeet Kumar
Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Shri Ajeet Kumar, learned counsel for the applicant and Shri Anand Pratap Singh, learned AGA.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.309 of 2022, under Sections 420, 409 and 34 IPC, Police Station - Baddusarai, District - Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 28.09.2022 against seven persons and some unknown persons, including the applicant, alleging that the informant and his customers had made some investments in Life Long Care Multi State Agro Cooperative Society Limited but upon maturity of the investment, nothing was paid to him upon.

4. In the affidavit filed in support of the bail application, it has been stated that the applicant has no concern with the company and he has been implicated because his father Om Prakash Verma is the Chairman and mother Mithlesh Verma are Director of the company. Two co-accused persons, namely, Yashwant Rawat and Santosh Kumar Yadav have been granted bail in the present case.

5. In the affidavit filed in support of bail application, it has been stated that the applicant is involved in 54 other cases of similar nature and he has already been granted bail in 21 cases.

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 grievance of the informant is regarding non-refund of money invested in a company and the applicant was neither a director nor other principal position holder in the company; that three co-accused persons have already granted bail, the applicant's involvement in 54 other cases has been disclosed in para 19 of the affidavit filed in support of the bail application and he has already been granted bail in 21 cases and all of which are of similar nature and he is languishing in jail since 05.07.2022 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.

8. Accordingly, this bail application stands allowed.

9. Let the applicant- Atul Kumar Verma 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
prateek

Digitally signed by :-
PRATEEK ARORA
High Court of Judicature at Allahabad,
Lucknow Bench