

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 13290 of 2023

**Applicant :-** Akash

**Opposite Party :-** State Of U.P. Thru. Prin. Secy. Home Deptt. Govt. U.P. Lucknow

**Counsel for Applicant :-** Santosh Kumar Tirpathi

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi,J.**

1. Heard Sri Atul Verma, the learned counsel for the applicant as well as Sri Arpit Kumar, the learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 288 of 2023, under Section 419/420/467/468/471 I.P.C. and Section 6/9 of U.P. Public Examinations Act, 1988, registered at Police Station Wazirganj, District Lucknow.
3. The aforesaid case has been registered on the basis of F.I.R. lodged by a Principal of a college on 24.09.2023, alleging that the applicant had arranged an imposter for appearing as a candidate in a competitive examination held by U.P. Subordinate Service Examination.
4. In the affidavit filed in support of the bail 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. It has also been submitted that a co-accused Khusboo Kumari has already been enlarged on bail by this court by means of an order dated 02.11.2023, passed in Criminal Misc. Bail Application No.12936 of 2023.
5. The learned A.G.A. has opposed the prayer of the 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 the applicant is a young man having no criminal history and he is languishing in jail since 24.09.2023 and without making any observations 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.

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

8. Let the **applicant-Akash** 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 the 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.

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**(Subhash Vidyarthi,J.)**

**Order Date :- 8.11.2023**

Ram.