Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13518 of 2023
Applicant :- Sharad Kumar Verma
Opposite Party :- State Of U.P Thru. Prin. Secy. Home Civil Secrt. Lko.
Counsel for Applicant :- Vivek Chandra
Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Vivek Chandra, learned counsel for the applicant, Sri Shaunak Singh, learned A.G.A.-I 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.270 of 2022, under Sections 419, 420, 467, 468, 471, I.P.C., registered at Police Station Rampur Kalan, District Sitapur.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 14.10.2022 against six persons, including the applicant, alleging that the informant had made investments in L.L.C Multi State Agro Cooperative Society Ltd. under allurement of lucrative return but upon maturity the money was not refunded to the complainant.

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 on the basis of wrong averments made in the FIR. The informant had made investment in LLC Multistate Agro Co-operative Society Ltd., under various schemes under which they had to be given maturity upon completion of investments for various periods. The investors did not deposit the complete amount by paying all the installments rather they filed the FIR. The applicant's criminal history of 43 cases has been disclosed in para 16 of the affidavit, in 3 of which he has been granted bail.

5. The learned counsel for the applicant has submitted that co-accused Om Prakash Verma, has already been granted bail by means of an order dated 03.10.2023 passed by this Court in Criminal Misc. Bail Application No.11589 of 2023.

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 a co-accused person has already been granted bail, coupled with the fact that the applicant is languishing in jail since 01.07.2022 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-**Om Prakash 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.

Order Date :- 9.11.2023
Preeti.

Digitally signed by :-
PREETI GAUTAM
High Court of Judicature at Allahabad,
Lucknow Bench