

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2595 of 2023

Applicant :- Rajesh Trivedi

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Civil
Sectt. Lko And Another

Counsel for Applicant :- Anil Kumar, Arvind Singh, Jitendra
Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Anil Kumar Singh, the learned counsel for the applicant, Sri Jayant Singh Tomar, the learned AGA for the State and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in Case Crime No. 498 of 2023, under Sections 419, 420, 467, 468, 471 IPC, Police Station Vibhuti Khand, District Lucknow.
3. The aforesaid case has been registered on the basis of an FIR lodged on 28.09.2023 against four persons, including the applicant, alleging that co-accused Shubham Mishra was caught and some fake documents were recovered from his possession and he stated that he prepares 'No Objection Certificate of banks in respect of vehicles which have been hypothecated and thereafter get the same transferred to some other person. He stated that the applicant and co-accused Sachin Singh is also involved with him in commission of the offence.
4. Co-accused Shubham Mishra has already been granted bail by means of the order dated 17.10.2023 passed by the Sessions court, Lucknow.
5. 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.
6. It has further been stated that the applicant is suffering from chronic liver disease with portal hyper tension and mild ascites. Some documents have been annexed in support of the applicant's illness.
7. Having considered the aforesaid facts and circumstances of

the case and keeping in view the fact that the applicant has been implicated in the present case on the basis of custodial statement of co-accused person and that co-accused has been granted bail by the Sessions court and that the applicant has no criminal history and he is suffering from chronic liver disease 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-Rajesh Trivedi** 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/-