

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13421 of 2023

Applicant :- Shyamlal Maurya

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. Lko.

Counsel for Applicant :- Uma Shankar Verma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Uma Shankar Verma, learned counsel for the applicant, Sri Jayant Singh Tomar, learned A.G.A. 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. 186 of 2023, under Sections 406, 420, 467, 468, 506 I.P.C., registered at Police Station Alapur, District Ambedkar Nagar.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 28.06.2023 alleging that the informant had paid money to the applicant totaling to Rs.3.30 Lakh for getting employment but no appointment was given to the informant.
4. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.
5. The learned A.G.A. has opposed the prayer for 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 that the informant has stated in the FIR that he has worked for 3 months and dispute occurred when they were not paid salary; that no proceedings for recovery of money have been initiated against the applicant; that the applicant has no previous criminal history and he is languishing in jail since 23.07.2023 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.

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

8. Let the **applicant**-Shyamlal Maurya be released on bail in aforementioned 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 :- 9.11.2023
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