

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13607 of 2023

Applicant :- Sharad Kumar Verma

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

Counsel for Applicant :- Vivek Chandra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Vivek Chandra, the learned counsel for the applicant as well as Shri Shaunak Singh, the learned AGA 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. 818 of 2022, under Sections 409, 420 IPC, Police Station Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of an FIR lodged on 12.08.2022 against four named persons, including the applicant, alleging that the informant had made some investments in Lifelong Multi State Cooperative Society and Sangarsh Total Solution Infra Built Pvt. Ltd. but upon maturity neither his amount was repaid nor the sale deed was executed in his favour. The applicant has been implicated in the present case subsequently, as he is also a Director of the body in which the investment was made.

4. The applicant's involvement in total 43 cases of similar nature has been disclosed in para 17 of the affidavit filed in support of the bail application, in 16 of which he has been granted bail.

5. The learned counsel for the applicant has submitted that co-accused Rajendra Prasad Mishra, has already been granted bail by means of an order dated 02.08.2023 passed by this Court in Criminal Misc. Bail Application No.9677 of 2023.

6. The learned A.G.A. has opposed the prayer of the 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 applicant has already been granted bail in 16 other cases of similar nature and that a co-accused has been granted bail, coupled with the fact that the applicant is languishing in jail since 01.07.2022, I am of the view that the applicant is entitled to be released on bail in the present case also.

8. Accordingly, this bail application stands allowed.

9. Let the applicant- Sharad 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 :- 18.11.2023
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