

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13503 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, 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.600 of 2022, under Sections 34, 420, 409 I.P.C., registered at Police Station Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 23.06.2022 against nine persons, including the applicant, alleging that the informant had invested some amount in STS/Sankalp Group for purchasing a plot of land but neither land was given to her nor was her money refunded.

4. In the affidavit filed in support of bail application, it has been stated that the applicant is neither Director nor any other Principal officer of the Company and he has been implicated in the present case because he is son of co-accused, Om Prakash Sharma, who is C.M.D. of the Company. The applicant's criminal history of 43 cases has been disclosed in the affidavit and in 3 of which he has already been granted bail.

5. The learned counsel for the applicant has submitted that co-accused Atul Kumar Verma, has already been granted bail by means of an order dated 09.08.2023 passed by of this Court in Criminal Misc. Bail Application No.10012 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 grievance of the informant regarding non transfer of land or refund of her money by the Company and the applicant is the one of the director and that a co-accused person has already been granted bail, 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- **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.

Order Date :- 9.11.2023

Preeti.