**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 13664 of 2023

**Applicant :-** Om Prakash Verma
**Opposite Party :-** State Of U.P Thru. Prin. Secy. Home Civil Secrt. Lko.
**Counsel for Applicant :-** Ajeet Kumar
**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi,J.**

1. Heard Sri Ajeet Kumar, learned counsel for the applicant, the 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 No1001 of 2022, under Sections 420, 409, 109 I.P.C., registered at Police Station Kotwali, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 19.09.2022 against one Atul Verma as Director of S.T.S. Infra Ltd., in furtherance of an application filed under Section 156(3) Cr.P.C. stating that the informant and some other persons had paid some amount to the aforesaid Company for purchasing plots but neither plots were handed over to them nor was their money refunded.

4. During investigation, informant implicated the applicant also alleging that the applicant is one of the Directors of the Company.

5. Company' master data annexed with the affidavit filed in support of the bail application alleges that the applicant was not a Director of the Company.

6. The applicant’s involvement in 45 other cases of similar nature has been disclosed in para 16 of the affidavit filed in support of the application, in 25 of which, the applicant has already been granted bail.

7. 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 only being a husband of one of the director, namely, Smt. Mithilesh Verma. .

8. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

9. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that grievance of the informant is regarding not allotment of plot or non refund of money; that the applicant is not named in the FIR; that though he has been implicated subsequently alleging that he is a Director of the Company, his named does not find place as Director in the Company's master data; that the applicant has been granted bail in 25 cases and yet has is languishing in jail since 30.11.2022, 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.

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

11. Let the applicant-***Om Prakash Verma*** be released on bail in Case Crime No1001 of 2022, under Sections 420, 409, 109 I.P.C., registered at Police Station Kotwali, District Barabanki 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 :-** 20.11.2023
Pradeep/-

Digitally signed by :-
PRADEEP SINGH
High Court of Judicature at Allahabad,
Lucknow Bench