

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13710 of 2023

Applicant :- Atul Kumar Verma

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

Counsel for Applicant :- Ajeet Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Ms. Ankita Verma, holding brief of Sri Ajeet Kumar, the learned counsel for the applicant as well as Shri Manish Kumar Pandey, 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. 1067 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 04.10.2022 against the applicant describing him as the Director S.T.S. Infra Pvt. alleging that the informant had made some investments in S.T.S. Infra Built Pvt. Ltd. but upon maturity neither his amount was repaid nor the sale deed was executed in his favour.

In the affidavit filed in support of the application for bail it has been stated that the applicant has been subsequently implicated in the present case describing him to be a Director of the company, whereas the applicant is not a director of the company and he has been implicated merely because he happens to be son of Mithlesh Verma, one of the Directors of the company in which the investment was made.

4. The applicant's involvement in total 55 cases of similar nature has been disclosed in para 17 of the affidavit filed in support of the bail application, in 27 of which he has been granted bail. The co-accused Sharad Kumar Verma has already been enlarged on bail by this court by means of an order dated 23.11.2023, passed in Criminal Misc. Bail Application No.13859 of 2023.

5. The learned A.G.A. has opposed the prayer of the 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 applicant has already been granted bail in 27 other cases of similar nature coupled with the fact that the applicant is languishing in jail since 03.01.2022, whereas a co-accused Sharad Kumar Verma, who is Director of the company has already been granted bail and without making any observation, which may affect the merits of the case, I am of the view that the applicant is entitled to be released on bail in the present case also.

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

8. Let the **applicant-Atul 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.

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(Subhash Vidyarthi, J.)

Order Date :- 2.12.2023

Ram.