

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 15022 of 2023

**Applicant :-** Sharad Kumar Verma

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

**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, Sri Anant Pratap Singh, 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 No. 841 of 2022, under Sections 409 and 420 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 19.08.2022 against six persons, not including the applicant, stating that the complainant had paid Rs.3,90,000/- to STS Infra Build Company for taking a plot of land but neither the property was transferred to the informant nor was the invested amount refunded to him.

4. 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. The applicant's criminal history of 43 cases has been disclosed in para 17 of the affidavit filed in support of bail application, all of which relate to the similar disputes regarding investments made in the aforesaid company and in 38 of which the applicant has already been granted bail.

5. A copy of the relevant extract of the case diary has been annexed with the supplementary affidavit, wherein the Investigating Officer has recorded that a sale deed has already been executed in favour of the informant on 16.10.2021. The Co-accused persons, Abhishek Upadhyay, Mithilesh Verma, Sangam Verma, Naved Ahmad, Yashwant Rawat, Amit Kumar Verma and Om Prakash Verma have already been enlarged on bail by this court by means of orders dated 19.07.2023, 19.10.2023, 26.07.2023, 14.07.2023, 05.04.2023, 19.12.2022 and 30.10.2023, passed in Criminal Misc. Bail Application Nos. 3670 of 2023, 12558 of 2023, 9391 of 2023, 7639 of 2023,

4596 of 2023, 2108 of 2022 and 12659 of 2023. Mithelash Verma and Sangam Verma are also a director of the Company.

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 the Investigating Officer has found that the sale deed in respect of the property of land has already been executed in favour of the informant; that the six other accused persons including the two Directors of the company have already been granted bail coupled with the fact that the applicant is languishing in jail since 07.07.2022 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.

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

9. Let the applicant-***Sharad Kumar Verma*** be released on bail in Case Crime No. 841 of 2022, under Sections 409 and 420 I.P.C., registered at Police Station Kotwali Nagar, 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 :- 19.12.2023**

Pradeep/-