

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13860 of 2023

Applicant :- Ashok Singh

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home Lko.

Counsel for Applicant :- Arpan Prakash Srivastava, Mohak Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Arpan Prakash Srivastava, learned counsel for the applicant, Sri Neeraj Kumar Tiwari, 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. 0639 of 2023, under Sections 411, 420 I.P.C. and Section 3 Prevention of Damage to Public Property Act and 136 and 138 of the Electricity Act, 2003, registered at Police Station Kotwali Nagar, District Ayodhya.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 21.09.2023 against the applicant and his brother, stating that some old and new electricity meters were found in the applicant's house and they confessed that they used the meters for installing them in consumers' premises after tampering with the same so as to record a lower consumption.

4. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history. It has further been stated that the applicant works as contractual basis with Madhyancal Vidyut Nigam Ltd., for the past about 30 years and the meters were kept in the applicant's house in connection with his official work. It has also been submitted that the co-accused Vikas Singh has already been enlarged on bail by this court by means of an order dated 03.11.2023, passed in Criminal Misc. Bail Application No.13029 of 2023.

5. The learned A.G.A. has opposed the prayer for 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 besides confessional statement of the accused persons there is nothing on record to connect wrongful use of meters and tampering with the same; that the applicant has no previous criminal history and the co-accused Vikas Singh has already been enlarged on bail by this court 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.

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

8. Let the **applicant-Ashok Singh** be released on bail in aforementioned 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 :- 23.11.2023

Ram.