

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13995 of 2023

Applicant :- Ved Prakash

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

Counsel for Applicant :- Alok Kumar Mishra, Abhishek Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Alok Kumar Mishra, learned counsel for the applicant and Sri Virendra Kumar, 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.158 of 2023, under Sections 419, 420, 467, 468, 471, 120B I.P.C., registered at Police Station Baghauli, District Hardoi.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 28.04.2023 against three persons, including the applicant, alleging that one Geeta Devi had taken Kisan Credit Card loan on 19.06.2019 from Bank of India and the applicant and the other named co-accused persons had witnessed grant of loan. The loan amount was declared NPA on 20.12.2022.

4. Upon inquiries, it came to light that the borrower, Geeta Devi had died in the year 2018 and some imposter had taken the loan. During investigation, one Uma was arrested and she stated that she obtained loan by projecting herself as Geeta Devi on the instigation of four other persons.

5. Four other co-accused persons, namely, Bhupendra Kumar Dwivedi, Deepak Dwivedi @ Pulli, Ravi Pratap Singh and Pravesh Singh have already been granted bail by means of orders dated 03.10.2023, 03.10.2023, 03.10.2023 & 25.09.2023 by this Court in Criminal Misc. Bail Application Nos. 11753 of 2023, 11656 of 2023, 11635 of 2023 and 11530 of 2023 respectively. Co-accused Narendra Kumar has been granted bail by the learned Sessions Judge, Hardoi by means of the order dated 04.08.2023. On the basis of his implication in the present case, the applicant has been implicated in another case bearing

No.300 of 2023, under Section 2/3 of U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986.

6. 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.

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

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant has been implicated as he had witnessed grant of loan; that another person Chetram, who had also witnessed grant of loan, has been granted bail by means of order dated 07.11.2023 passed by this Court in Criminal Misc Bail Application No.13199 of 2023 and that the applicant is a 62 years of old person, who has no criminal history and is languishing in jail since 14.06.2023 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.

9. Accordingly, this bail application stands allowed.

10. Let the applicant-**Ved Prakash** 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 :- 28.11.2023

Renu/-