

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14121 of 2023

Applicant :- Aditya Tripathi @ Aditya Kumar Tripathi

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, Lucknow

Counsel for Applicant :- Anand Dubey, Suresh Chandra Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Anand Dubey, the learned counsel for the applicant, 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.0006 of 2020, under Sections 420/467/468/471/204/120-B I.P.C., registered at Police Station S.I.T. Lucknow, District Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 12.05.2020 against five persons for commission of offences under Sections 420, 406 I.P.C. alleging that a society named Society for Rural Education Environment took money from about 1350 persons in the name of getting them employed. The applicant was working as zonal coordinator of the aforesaid society. It is alleged that several persons got appointed through the society and they were paid salary also for some time but thereafter their salary was stopped.

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. In the affidavit filed in support of

bail application the applicant's involvement in Case Crime No.5 of 2020, under Section 420, 468, 471, 120-B I.P.C. P.S. SIT, District Lucknow has been disclosed in which he has been granted bail by means of an order dated 24.11.2023, passed in Criminal Misc. Bail Application No.13795 of 2023. That F.I.R. was lodged alleging non-refund of money alleging the same society.

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 the F.I.R. alleges a fraud committed by a society against 1350 persons but except the informant no other person has made any such complaint against the society or against the present applicant; that even as per the F.I.R. allegation the persons employed were paid salary for some time as prima facie it appears that the F.I.R. has been lodged after some dispute occurred in payment of salary, which predominantly appears to be a civil dispute; that the applicant is languishing in jail since 03.10.2023 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.

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

8. Let the **applicant-Aditya Tripathi @ Aditya Kumar Tripathi** 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.

(Subhash Vidyarthi, J.)

Order Date :- 30.11.2023
Ram.