

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14148 of 2023

Applicant :- Ajeet Kumar Gupta

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

Counsel for Applicant :- Chandra Shekhar Sinha, Akshat Sinha, Gaurav Verma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Akshat Sinha, the learned counsel for the applicant, Sri Akhilesh Kumar Vyas, 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. 128 of 2022, under Sections 409, 420 I.P.C., registered at Police Station Gomti Nagar, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 05.02.2022 against 10 named persons, including the applicant, alleging that the informant used to work as an agent of Eye Vision India Credit Cooperation Society Limited and several persons had made investment through him in the aforesaid company but upon maturity there money was not refunded.
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.
5. The applicant's involvement in 130 cases has been disclosed in the affidavit and the learned counsel for the applicant has submitted that the applicant has been granted bail in two cases by means of orders dated 27.09.2023 and 30.11.2023, passed in Criminal Misc. Bail Applications No.11693 of 2023 and 14112 of 2023, respectively, after taking into consideration the fact that the applicant is languishing in jail since 16.07.2020 but the trial of not a single case has commenced till date.
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 without making any observation, which may affect the merits of the case and keeping in view the long incarceration of the applicant without even commencement of trial, 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- **Ajeet Kumar Gupta** 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 :- 1.12.2023

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