

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14225 of 2023

Applicant :- Karuna Shankar Shukla

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

Counsel for Applicant :- Ashutosh Dhar Dubey

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Ashutosh Dhar Dubey learned counsel for the applicant, Sri Amit Kumar Dwivedi, 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. 0198 of 2022, under Sections 406, 420, 504, 506 I.P.C., registered at Police Station Khandasa, District Ayodhya/Faizabad.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 24.08.2022 against four persons, including the applicant, alleging that the accused persons had allured the informant to make investment in their Company Shanker Gopalan for earning lucrative return. The FIR states that Company had given a cheque towards return of the investment and he went to the company's office with the cheque for claiming the benefits.
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. After implication of the applicant in the present case, he has been implicated in another case under Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act.
5. One of the co-accused person has already been granted bail by means of the order dated 02.03.2023 passed in Criminal Misc Bail Application No.3192 of 2023.
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 informant has

himself stated that a cheque had been given to him towards return of his investment and he has not stated that a cheque was presented by him to his bank and that the amount was not paid by the bank and that the co-accused person has already been granted bail in the present case 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-**Karuna Shankar Shukla** 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 :- 4.12.2023

Renu/-