

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14203 of 2023

Applicant :- Atul Kumar Verma

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

Counsel for Applicant :- Ajeet Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Ms. Ankita Verma, holding brief of Sri Ajeet Kumar, the learned counsel for the applicant as well as Sri Virendra Kumar, the learned AGA 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. 1295 of 2022, under Section 420, 409, 506, 467, 468, 471, 34 I.P.C., registered at Police Station Kotwali, District Barabanki.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 06.12.2023 against four persons, not including the applicant, stating that the informant had paid some amount for purchasing a plot of land in Sankalp City from Sangarsh Total Solution Pvt. Ltd. and several other persons had also made investment in the company but the company did not execute the sale deed of property in favour of the informant and the another persons.

4. During investigation, the applicant has also been implicated in the present case because he is son of one of the directors of the company, namely, Smt. Mithlesh Verma.

5. In the affidavit filed in support of the bail application, the applicant's involvement in 54 other cases of similar nature has been disclosed in Para 18 of the affidavit and in 26 of which the applicant has already been granted bail. Copies of 8 bail orders have been annexed as Annexure No. 7-14 to the affidavit.

6. Co-accused persons, namely, Naved Ahmad and Sangam Verma @ Sangam Kumar Verma have been granted bail by means of orders dated 02.08.2023 and

22.11.2023 passed in Criminal Misc. Bail Applications No. 9712 of 2023 and 13758 of 2023, respectively.

7. The learned A.G.A. has opposed the prayer of the 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 is not named in the F.I.R and he has subsequently been implicated merely because he was son of one of the Directors of the Company and besides this there is no allegation of commission of any act by the applicant; that the applicant has already been granted bail in 26 other cases of similar nature and that the applicant is languishing in jail since 17.01.2023 and without making any observations which may affect the merits of the case, I am of the view that the applicant is also entitled to be released on bail.

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

10. Let the applicant- **Atul Kumar Verma** 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 the 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 :- 2.12.2023
Preeti.