

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14299 of 2023

Applicant :- Om Prakash 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 Arpit Kumar , the learned A.G.A. for the State and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 718 of 2022, under Sections 406, 419, 420, 467, 468, 471, 504, 506, 409 and 109 I.P.C., registered at Police Station Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 20.07.2022 against two persons, including the applicant stating that the informant had purchased a plot of land from the applicant, who is a proprietor of Sankalp Trading Services through a sale deed dated 14.02.2022 but thereafter during mutation proceedings, it came to light that the applicant had executed sale deed in respect of land exceeding the land owned by him.

4. The applicant's criminal history of 45 other cases has been disclosed in para 20 of the affidavit filed in support of the bail application. The applicant has already been granted bail in 26 cases.

5. The learned counsel for the applicant has submitted that co-accused Pramod Kumar @ Pramod Kumar Verma, Rajendra Prasad Mishra and Mitilesh Verma, have already been granted bail in the present case by means of an order dated 02.08.2023, 28.10.2023 and 02.12.2023 passed by this Court in Criminal Misc. Bail Application Nos.9724 of 2023, 6714 of 2023 and 14205 of 2023.

6. The learned A.G.A. has opposed the prayer of the 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 two co-accused persons have already been granted bail, coupled with the fact that the applicant is a 69 years old person and he is languishing in jail since 11.08.2022 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.

8. Accordingly, this bail application stands allowed.

9. Let the applicant- **Om Prakash 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.

Order Date :- 5.12.2023

Renu/-