

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14337 of 2023

Applicant :- Sharad Kumar Verma

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Civil Sectt. Lko.

Counsel for Applicant :- Vivek Chandra

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Sadhna Rani (Thakur),J.

Heard learned counsel for the applicant, learned A.G.A. and perused the record.

This application has been moved by the applicant - Sharad Kumar Verma to enlarge him on bail in Case Crime No. 718 of 2022 under Sections 419, 420, 409, 467, 468, 471, 504, 506, 109 IPC Police Station Kotwali Nagar, District Barabanki.

It is argued by the learned counsel for the applicant that the applicant is neither named in the FIR nor any specific role is assigned to him. There is criminal history of 42 cases against him. Regarding the same allegation, as mentioned in the FIR, six co-accused persons have been granted bail by the coordinate bench of this court. The main accused is Om Prakash Verma, who has been granted bail by this court earlier. The applicant is languishing in jail since 01.07.2022, hence, the prayer for bail is made.

Learned A.G.A. opposed the prayer for bail and submitted that there is gang of ten persons and the present applicant is member of that gang, who motivates the persons to purchase the plot/property from the persons belonging to the gang. All these members are the Directors of different companies. There is allegation of mis-appropriation of Rs. 5,58,000/- by executing sale deed in favour of the first informant.

From perusal of the record it is found that the present applicant is not named in the FIR. It is also argued that there is gang of bhumafias. They lure the persons to purchase the property at a cheaper rate and the properties, which had been sold earlier, were being resold again in the name of persons like the first informant. No civil case regarding cancellation of sale deed is said to be pending in any civil court. The role of present applicant is of allegedly motivating the first informant to

purchase the property from Om Prakash Verma, who is said to have been bailed out. His bail order has been placed before the court, The applicant is languishing in jail since 01.07.2022.

Considering the facts and circumstances of the case, perusing the record, the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merits of the case, I find it to be a fit case for granting bail to the applicant.

The bail application is allowed.

Let the applicant **Sharad Kumar Verma** involved in the aforesaid case be released on bail on furnishing personal bonds and two sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:-

1. The applicant will attend and co-operate the trial proceedings pending before the court concerned on the date fixed after release.
2. He will not tamper with the witnesses.
3. He will not indulge in any illegal activities during the bail period.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the court below shall be at liberty to cancel the bail and send the applicant to prison.

It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the ultimate merits of the case.

Order Date :- 6.12.2023

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