

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14373 of 2023

Applicant :- Atul Kumar Verma

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

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, Ms. Ankita Tripathi, the learned A.G.A for the State and perused the record.

2. The present bail application has been filed on behalf of the applicant in Case Crime/FIR No.1003 of 2022, under Sections 420, 406, 504, 506, 409 I.P.C., Police Station- Kotwali Nagar, District- Barabanki, with the prayer to enlarge him on bail.

3. Learned counsel for the applicant submitted that the applicant is an innocent person, has been falsely implicated in the case and is in jail since 17.01.2023. He further submitted that applicant was neither director nor any other principal position holder in M/S LIC Multi State Agro Cooperative Society Ltd and he has no concern with the affairs of the said company. The applicant's involvement in 56 cases of identical nature has been disclosed in the affidavit filed in support of the bail application and in 29 out of 56 cases, he has already been granted bail. He submitted that charge-sheet has already been filed and there is no possibility of tampering of any evidence. In these circumstances, the applicant is entitled for bail. In case of being enlarged on bail, he will not misuse the liberty of bail.

4. The learned counsel for the applicant has further submitted that co-accused Arvind Singh @ Arvind Kumar, Mohd. Akram, Smt. Gunjan Verma, Sangam Verma and Om Prakash Verma have already been granted bail by means of orders dated 02.02.2023, 13.02.2023, 19.10.2023, 09.11.2023 and 06.12.2023 passed by a coordinate bench of this Court in Criminal Misc. Bail Application Nos. 1659 of 2023, 2184 of 2023, 12506 of 2023, 13372 of 2023 and 1437 of 2023.

5. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that applicant was neither director nor other principal position holder in the company and co-accused Arvind Singh @ Arvind Kumar, Mohd. Akram, Smt. Gunjan Verma, Sangam Verma and Om Prakash Verma have already granted bail 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 on the ground of parity.

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

8. 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.

Order Date :- 7.12.2023

Pradeep/-