

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14372 of 2023

Applicant :- Arpit Maurya @ Sandesh

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

Counsel for Applicant :- Hari Krishna Verma, Atul Verma, Sanjeet Kumar Patel

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.

The accused- applicant is involved in Crime No. 0385 of 2023, under Sections 419, 420, 467, 468, 471 I.P.C., and Section 66-D of IT Act, Police Station Indira Nagar, District- Lucknow.

It is argued by the learned counsel for the applicant that as per the FIR, the applicant is not the main accused. The applicant does not run any call centre. His work was only to repair the computer on-line. The applicant was working in the call centre for the last three months getting salary of Rs. 20,000/- per month. The said call center is being run by one Vishal Mina along with Jishan Khan. There is no allegation of suffering any wrongful loss by any person and gaining any wrongful profit by the applicant. There is no recovery from the applicant to connect him with the present crime. There is no criminal history to the credit of the applicant. The applicant is a young boy aged about 21 years having a good academic career. No forged document has been recovered from the applicant. He is not said to have prepared any forged documents. The applicant is languishing in jail since 6.11.2023. Hence the prayer for bail is made.

Learned A.G.A. opposed the prayer for bail of the applicant and submitted that from the joint possession of the applicant and other co accused persons recovery of computers, mobiles, laptops, pen-drives, Internet routers, voter ID cards has been made. The applicant is found working in the call centre.

It is argued by the learned counsel for the applicant that the applicant is a paid employee who was employed for online computer at repairing work. There is no complaint of any

wrongful loss caused by the present applicant. The recovery of above mentioned articles from the applicant does not prima facie show his indulgence in any crime. The applicant is languishing in jail since 6.11.2023.

Perusing the record, considering the facts and circumstances of the case, the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merit of the case, I find it to be a fit case of bail.

The bail application is allowed.

Let the applicant Arpit Maurya @ Sandesh who is involved in aforesaid crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

1. The applicant will attend and co-operate the trial proceedings pending before the court concerned on the dates 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 trial court shall be at liberty to cancel the bail and send the applicant to the 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

Gss