Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14573 of 2023

Applicant :- Deepak Jaiswal
Opposite Party :- State Of U.P. Thru. Prin. Secy. (Home) Civil Sectt. Lko
Counsel for Applicant :- Atul Verma,Sanjeet Kumar Patel
Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Hari Krishna Verma, Advocate, holding brief of Sri Atul Verma, learned counsel for the applicant, and Ms. Charu Singh, learned Addl. Government Advocate, and perused the record.

2. By means of the instant application the applicant Deepak Jaiswal seeks bail in Case Crime No. 385 of 2023, under sections 419,420,467,468,471, I.P.C. and Section 66d of the I.T. Act, P.S. Indira Nagar, District Lucknow.

3. The aforesaid case has been registered on the basis of a First Information Report (F.I.R.) lodged on 7.11.2023 against nine persons, including the applicant, stating the on the basis of information received from a Mukhbir Police raided a call-center in which the accused persons were working. Co-accused persons Zeeshan Khan and Vishal Meena are said to be the owners of that call-center. It is alleged that in their custodial statement the accused persons confessed that they commit online fraud with persons residing abroad through that call-center.

4. In the affidavit filed in support of the bail-application, it has been stated that the applicant is innocent. He has falsely been implicated in the present case and he has no criminal history.

5. Learned counsel for the applicant has also submitted that one of the co-accused Arpit Maurya alias Sandesh has been granted bail by an order dated 6.12.2023 passed by this Court in Criminal Misc. Bail Application No. 14372 of 2023. Case set up against the applicant is at par with the case set up against the co-accused Arpit Maurya.

6. Learned A.G.A. has opposed the prayer for 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 the co-accused has already been granted bail, without making any observation,

which may affect the merits of the case, I am of the view that the applicant is entitled to be released on bail.

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

9. Let the applicant **Deepak Jaiswal** be released on bail in the aforesaid Case Crime No. 385 of 2023, under sections 419,420,467,468,471, I.P.C. and Section 66d of the I.T. Act, P.S. Indira Nagar, District Lucknow, be released on bail on his furnishing a personal bond and two sureties, each in the like amount, to the satisfaction of Magistrate/Court concerned, subject to 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.

10. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

(**Subhash Vidyarthi, J.**)

Order Date :- 11.12.2023
A.Nigam

Digitally signed by :-
ANUJ NIGAM
High Court of Judicature at Allahabad,
Lucknow Bench