

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14687 of 2023

Applicant :- Harsh Kumar @ Lal Babu

Opposite Party :- State Of U.P. Thru. Prin. Sec. Home, Lucknow

Counsel for Applicant :- Sudhaker Prakash, Amit Bhardwaj, Manoj Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Sudhaker Prakash, learned counsel for the applicant, Smt. Arti Gupta Singh, learned A.G.A. for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 592 of 2023, under Sections 419, 420, 465, 468, 471, 120 I.P.C. and 3/9 UP Public Examination Act, registered at Police Station Madiyaon, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 24.08.2023 stating that the applicant was writing examination paper in place of the other co-accused person.
4. In the affidavit filed in support of bail application it has been stated that the applicant is 24 year old innocent person, he has no criminal history and he has been languishing in jail since 28.10.2023.
5. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
6. Having considered the aforesaid facts and circumstances of the case, I am of the view that the aforesaid facts are sufficient

for making out a case for enlargement of the applicant on bail in the aforesaid crime.

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

8. Let the **applicant**-Harsh Kumar @ Lal Babu 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 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 :- 13.12.2023

Raj