

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14814 of 2023

Applicant :- Mohd. Kaleemulla

Opposite Party :- State Of U.P Thru. Addil. Chief Secy. Deptt. Home Civil Sectr. Lko.

Counsel for Applicant :- Pankaj Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Pankaj Shukla, the learned counsel for the applicant, Sri J.S. Tomar, learned A.G.A.-I 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. 315 of 2023, under Sections 406/420/467/468/471 I.P.C., registered at Police Station Vibhuti Khand, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 16.06.2023 against the applicant and one Anuj Srivastava alleging that the accused persons claiming themselves to the officials of U.P. Rajkiya Nirman Nigam had extracted money from several persons and had issued them fake appointment letters and permission for their entry into High Court campus which turned out to be fake.
4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and he has been falsely implicated in the present case and he has no previous criminal history except for a case under Section 138 Negotiable Instruments Act. It has further been stated in the affidavit that the applicant used to work under the co-accused Anuj Srivastava and he has not taken any money in the incident. A

supplementary affidavit has been filed on behalf of the applicant stating that the applicant's wife died on 21.11.2022 leaving behind two children and presently the applicant's daughter is aged about 6 years and due to lack of care her health is deteriorating.

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 and keeping in view the peculiar fact and without making any observation, which may affect the merits 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-Mohd. Kaleemulla** 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.

(Subhash Vidyarthi, J.)

Order Date :- 15.12.2023
Ram.