

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14841 of 2023

Applicant :- Ravi Praksh @ Avinash Pandey

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

Counsel for Applicant :- Deepak Kumar Tiwari, Ram Suphal, Santosh Kumar Dubey

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Deepak Kumar Tiwari, learned counsel for the applicant, Ms. Parul Kant, the 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. 442 of 2023, under Sections 489-A, 489-B, 489-C, 489-D I.P.C., registered at Police Station Madiyaon, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 28.08.2023 against six persons, including the applicant alleging that on the basis of information received from a mukhbir three co-accused persons were arrested and some fake currency notes were recovered from their possession. In their custodial statement they stated that some other persons, including the applicant were also involved in the commission of offence. On the basis of the statement of those three persons the police reached in a room of a hotel in which the applicant and co-accused Utkarsh Dwivedi was said to be present and some fake currency notes, a laptop, a printer and a lamination machine etc. were recovered from the room.
4. In the affidavit filed in support of bail application it has been stated that the applicant is an 18 years old innocent person, he has been falsely implicated in the present case and he has no criminal history.
5. Co-accused Utkarsh Dwivedi has already been granted bail by means of an order dated 30.10.2023 passed by this Court in Criminal Misc. Bail Application No. 12721 of 2023.
6. The 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 alleged recovery has not been witnessed by any independent person; that the printer and the laptop etc. alleged to have been recovered are commonly used articles and that the applicant is an 18 years old young man having no previous criminal history and he is languishing in jail since 28.08.2023 and the co-accused Utkarsh Dwivedi has already been granted bail 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.

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

9. Let the applicant-***Ravi Praksh @ Avinash Pandey*** 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 :- 16.12.2023

Pradeep/-