

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14902 of 2023

Applicant :- Dheeraj Kumar

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

Counsel for Applicant :- Vinod Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Mr. Vinod Kumar Singh, learned counsel for the applicant, Sri Arpit Kumar, 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.1151 of 2023, Under Section- 419, 420, 467, 468, 471, 120B IPC and 6/10 U.P. Public Examination Act, Police Station- Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of an FIR lodged on 28.10.2023 stating that the applicant was appearing in place of another candidate in the PET examination being held on 28.10.2023.

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

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 fact that the applicant has no previous criminal history and is languishing in jail since 28.10.2023 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 in the aforesaid crime.

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

8. Let the **applicant- Dheeraj Kumar** 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 :- 18.12.2023

Vipul