Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14969 of 2023

Applicant :- Ashish Kumar Srivastava @ Ashish Srivastava
Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, Lucknow
Counsel for Applicant :- Sanket Pandey
Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Sanket Pandey, learned counsel for the applicant, 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.652 of 2020, under Sections 406, 420 I.P.C., registered at Police Station Gazipur, District Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 10.11.2020 against six persons, including the applicant, alleging that the informant had made some investments in R.Sons Infraland Developers Pvt. Ltd. in the year 2010 but neither any land was given nor was the money refunded to the informant.

4. In the affidavit filed in support of bail application it has been stated that the applicant is willing to settle the dispute with the informant for which he would require six months' time after his release. The applicant's involvement in 129 other cases has been disclosed in para 19 of the affidavit filed in support of the application, however, learned counsel for the applicant states that the applicant is involved in some more cases and he has been granted bail in more than 105 cases on his expressing the same willingness of settlement of dispute with the informant. The applicant is languishing in jail since 21.05.2019 and even charges have not been framed till date.

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 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-Ashish Kumar Srivastava @ Ashish Srivastava** 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 will settle the grievance of the informant within a period of six months from the date of his release from custody, failing which this order will stand cancelled automatically after expiry of the aforesaid period;

(ii) the applicant shall not tamper with the prosecution evidence;

(iii) the applicant shall not pressurize the prosecution witnesses;

(iv) the applicant shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi, J.)

Order Date :- 19.12.2023
Vipul

Digitally signed by :-
VIPUL PRATAP GOGAL
High Court of Judicature at Allahabad,
Lucknow Bench