

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15157 of 2023

Applicant :- Om Prakash Verma

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

Counsel for Applicant :- Ajeet Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Ajeet Kumar, the learned counsel for the applicant and Ms Charu Singh, learned AGA for the State and perused the records.

2. The instant application has been filed seeking release of the applicants on bail in Case Crime No.371 of 2023 under Sections 420, 409, 109 IPC, Police Station Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 25.03.2023 against six persons, including the applicant alleging that the informant had made some investment from his clients in 'LLC Life Long Multi State Agro Cooperative Society Ltd' but no return was paid on his investment. The applicant has been implicated in the present case as he happened to be a Director of the company.

4. In the affidavit filed in support of the application, it has been stated that the applicant is innocent and has been falsely implicated in the present case.

5. The applicant's involvement in 51 other cases of similar nature has been disclosed in para-2 of the supplementary affidavit filed in support of the application, in 33 of which the applicant has already been granted bail. The applicant is languishing in jail since 12.06.2023.

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 applicant is named in the FIR; that he has already been granted bail in 33 other cases of similar nature and the co-accused persons, Sangam Verma, Gunjan Verma, Sharad Kumar Verma and Atul Kumar Verma have already been granted bail, he is languishing in jail since 12.06.2023, as per statement of learned counsel for applicant even charges have not been framed till date and 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 present case.

8. Accordingly, this bail application stands allowed.

9. Let the applicant-Om Prakash Verma 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 :- 21.12.2023

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