

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15147 of 2023

Applicant :- Om Prakash Verma

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

Counsel for Applicant :- Ajeet Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Ajeet Kumar, learned counsel for the applicant, 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.51 of 2023, under Sections 419, 420, 504, 506 I.P.C., registered at Police Station Mahmudabad, District Sitapur.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 05.02.2023 against ten persons, including the applicant, alleging that the informant and his family members had made investments in STS/Sankalp Group under allurement of lucrative return but upon maturity the money was not refunded to the investors.

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 on the basis of wrong averments made in the FIR. The informant had not made any investment in STS/Sankalp Group rather he had made investment in LLC Multistate Agro Co-operative Society Ltd., under various schemes under which they had to be given plots of land upon completion of investments for various periods. The investors did not deposit the complete amount by paying all the installments rather they filed the FIR.

5. The applicant's criminal history of 52 cases has been disclosed in para 21 of the affidavit filed in support of the bail application, in 28 cases the applicant has been granted bail.

6. The learned counsel for the applicant has submitted that co-accused Om Himanshu Gupta, Nandini Vishwakarma, Sangam Kumar Verma and Sharad Kumar Verma have already been granted bail in the present case by means of orders dated 30.05.2023, 22.05.2023, 16.12.2023 and 07.11.2023 passed by this Court in Criminal Misc. Bail Application No.7084 of 2023, 6651 of 2023, 14039 of 2023 and 13112 of 2023 respectively.

7. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that four co-accused persons have already been granted bail, I am of the view that the applicant is also entitled to be release on bail in the aforesaid crime.

9. Accordingly, this bail application stands allowed.

10. 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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