

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15307 of 2023

Applicant :- Surendra Singh

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

Counsel for Applicant :- Amar Nath Dubey, Anil Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Amar Nath Dubey, the learned counsel for the applicant, Sri Akhilesh Kumar Vyas, 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.227 of 2023, under Sections 406, 419, 420, 467, 468, 471, 120-B I.P.C., registered at Police Station Aspur Devsara, District Pratapgarh.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 27.06.2023 against three persons, not including the applicant and some unknown employees of the bank alleging that Rs.18,22,000/- had been withdrawn from the informant's bank account in several transactions.
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. The applicant's involvement in five other cases has been disclosed in para 17 of the affidavit all of which are of similar nature and the applicant has been granted bail in two cases. One of the co-accused persons Surendra Balram Dubey has been granted bail by means of an order dated 21.12.2023, passed by this court in Criminal Misc. Bail Application No.15136 of 2023.

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 is not named in the F.I.R. nor any specific role has been assigned to him by any witness during investigation and that the applicant has been implicated merely stating that he is also involved in commission of offence and that a co-accused person has already been granted bail by this court and the applicant has been granted bail in two other cases of similar nature and that the applicant is languishing in jail since 11.06.2023 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-Surendra Singh** 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 :- 22.12.2023
Ram.