

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15294 of 2023

Applicant :- Santosh Gupta @ Santosh Kumar Gupta

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

Counsel for Applicant :- Pankaj Kumar, Ashok Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Pankaj Kumar, the learned counsel for the applicant, learned AGA 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. 523 of 2020, under Sections 419, 420, 467, 468, 471, 506 IPC, Police Station Kotwali Rudauli, District Faizabad/Ayodhya.

3. The aforesaid case has been registered on the basis of an FIR lodged on 30.12.2020 against twelve persons, including the applicant, in furtherance of an application under Section 156(3) Cr.P.C. stating that the informant had made some investment in Ani Bullion Group but upon maturity, the amount invested was not repaid to her.

4. In the affidavit filed in support of the bail application, in para 7/8 it has been stated that the applicant was neither a Director nor any other principal position holder of the company.

5. Applicant's criminal history of 28 cases has been disclosed in para 13 of the affidavit, all of which relate to transactions of the aforesaid society. In 13 cases, the applicant has already been granted bail.

6. Co-accused Shiv Kumar Goswami has been granted bail by this court by means of the order dated 16.08.2023 passed in CRIMINAL MISC. BAIL APPLICATION No5200 of 2023.

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 the grievance of the informant is regarding non refund of money invested in a company and the applicant is not a director of the company and that the applicant has already been granted bail in several other cases of similar nature, I am of the view that the applicant is entitled to be released on bail in this case also.

9. Accordingly, this bail application stands allowed.

10. Let the applicant- Santosh Gupta @ Santosh Kumar Gupta 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 applicants shall not tamper with the prosecution evidence;
- (ii) the applicants shall not pressurize the prosecution witnesses;
- (iii) the applicants shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi, J.)

Order Date :- 22.12.2023
prateek