



2026:AHC:78436

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 19120 of 2025

Vinod Kumar

.....Applicant(s)

Versus

State of U.P.

.....Opposite

Party(s)

Counsel for Applicant(s)	:	Atul Srivastava
Counsel for Opposite Party(s)	:	G.A.

Along with :

1. Criminal Misc. Bail Application No. 33586 of 2022:

Vinod Kumar

Versus

State of U.P.

Court No. - 75

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. Sri Atul Srivastava, learned counsel for the applicant in both the bail applications, Sri Ajay Singh, learned AGA-I for the State are present and have been heard and records perused.

3. These two bail applications are of the same accused Vinod Kumar in the same case crime number which are connected together in compliance of order dated 08.07.2025 passed by this Court in CrI. Misc. Bail Application No. 19120 of 2025 (Vinod Kumar Vs. State of U.P.).

4. Criminal Misc. Bail Application No. 19120 of 2025 has been filed U/s 483 BNSS by the applicant Vinod Kumar with the prayer to release the applicant on bail in added section of Case Crime No. 206 of 2019 i.e. under Section 76A of Company Act, 1956 and Section 4, 5, 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978, P.S. Dadri, District Gautam Budh Nagar.

5. Criminal Misc. Bail Application No. 33586 of 2022 has been filed U/s 439 Cr.P.C. by the applicant Vinod Kumar with the prayer to release the applicant on bail in Case Crime No. 206 of 2019, under Sections 420, 467, 468, 471, 409, 201, 120-B IPC and Section 58-B sub-section (4-A) of R.B.I. Act, 1934 and Section 58-A of Company Act, 1956, P.S. Dadri,

District Gautam Budh Nagar.

6. While placing para 13 and 14 of the affidavit in support of bail application No. 19120 of 2025 it is submitted by learned counsel for the applicant that after clubbing of all the FIRs, a composite charge sheet has been submitted by the prosecution and some more sections were added against the applicant i.e. Section 76-A of Company Act, 1956 and Section 4, 5, 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978. It is submitted that after adding the said sections, the applicant approached the trial court for release in the said added sections and his prayer for bail was rejected vide order dated 05.05.2025 passed by the Additional Sessions Judge, 2nd/Special Judge (SC/ST Act), Gautam Budh Nagar.

7. The records of Crl. Misc. Bail Application No. 33586 of 2022 show that the applicant was granted short term bail for a period of four months by this Court vide order dated 04.04.2025 and the following order was passed:

1. List revised.

2. Heard Sri Atul Srivastava, learned counsel for the applicant and Sri Rupak Chaubey, learned AGA-I for the State of U.P. and perused the records.

3. The present bail application under Section 439 Cr.P.C. has been filed by the applicant - Vinod Kumar with a prayer to release him on bail in Case Crime No.206 of 2019, under Sections 420, 467, 468, 471, 409, 201, 120-B I.P.C., Section 58-B sub section (4A) of RBI Act, 1934 and 58-A of Company Act, 1956, Police Station Dadri, District Gautam Buddh Nagar, during the pendency of trial.

4. Learned counsel for the applicant has raised an argument regarding the delay in trial and has submitted that the applicant is in jail since 23.02.2020. It submitted that the case of the applicant is identical to that of co-accused Vinod, who has been granted short term bail by this Court vide order passed today i.e. 04.04.2025. It is submitted that looking to the fact that the co-accused Vinod has been granted short term bail by this Court, the case of the applicant also stands at bar. It is further submitted while placing paragraph 27 that prior to the present case, the applicant has no other criminal antecedents but subsequent to the present case, he has been involved in the case pertaining to the same incident.

5. Learned counsel for the State has also been heard, who vehemently opposed the prayer for bail but could not dispute the fact that the co-accused Vinod has been granted short term bail for a period of four months from today.

6. After having heard learned counsel for the parties and perusing the records, it is evident that the case of the co-accused Vinod has been granted short term bail by this Court vide order passed today i.e. 04.04.2025 in Criminal Misc. Bail Application No. 2625 of 2021 (Vinod vs. State of U.P.). The said order reads as under :-

"1. List revised.

2. Heard Sri Atul Srivastava, learned counsel for the applicant and Sri Rupak Chaubey, learned AGA-I for

the State of U.P. and perused the records.

3. The present bail application under Section 439 Cr.P.C. has been filed by the applicant Vinod with a prayer to release him on bail in Case Crime No.206 of 2019, under Sections 420, 467, 471, 409, 201 I.P.C., Police Station Dadri, District Gautam Buddh Nagar, during the pendency of trial.

4. On 17.10.2024, this Court passed the following order in the matter :-

"1. Heard Sri Atul Srivastava, learned counsel for the applicant and Sri Rupak Chaubey, learned AGA for the State.

2. It is submitted by learned counsel for the applicant that the applicant is in jail since 25.06.2019 and till date even charge has not been framed against him in the present matter. It is submitted that looking to the enormous delay in trial, the applicant deserves to be released on bail. It is further submitted that although the applicant is involved in various other matters but the said matters are of identical nature and all the matters have been directed to be clubbed with the FIR of Case Crime No. 206/2019 by the order of the Apex Court and charge sheets in all other matters have been directed to be filed as supplementary charge sheet to the charge sheet of the said case. It is submitted that as such the trial will take very long time to conclude.

3. Learned counsel for the State was called upon to inform the Court regarding the status of trial who submits that he has no instructions regarding the same as of now.

4. Looking to the arguments and facts of the matter, it would be appropriate in the fitness of things to call for a report of the trial court through the District and Sessions Judge concerned regarding the status of trial specifically mentioning therein the current stage of trial, as to whether charge has been framed against him or not, and if framed on which date charge has been framed. The report shall further indicate that if charges have been framed what steps have been taken for proceedings with the trial. The trial court shall further give a report regarding the number of witnesses proposed to be examined by the prosecution and the number of witnesses, if any, examined till date. It shall further give a report as to why there is a delay in trial, which party is responsible for the delay and approximate time which would take in conclusion of trial.

5. Office to communicate this order to the District and Sessions Judge concerned within a week who shall send his/her report within ten days thereafter.

6. Let the matter be listed on 11.11.2024."

5. The present bail application is being pressed on the ground of delay in trial. Considering the same on 07.01.2025, this Court passed the following order :-

"1. Heard Sri Atul Srivastava, learned counsel for the applicant, Sri Rupak Chaubey, learned counsel for the State and perused the record.

2. On 17.10.2024, this Court passed the following order in the matter :-

"1. Heard Sri Atul Srivastava, learned counsel for the applicant and Sri Rupak Chaubey, learned AGA for the State.

2. It is submitted by learned counsel for the applicant that the applicant is in jail since 25.06.2019 and till

date even charge has not been framed against him in the present matter. It is submitted that looking to the enormous delay in trial, the applicant deserves to be released on bail. It is further submitted that although the applicant is involved in various other matters but the said matters are of identical nature and all the matters have been directed to be clubbed with the FIR of Case Crime No. 206/2019 by the order of the Apex Court and charge sheets in all other matters have been directed to be filed as supplementary charge sheet to the charge sheet of the said case. It is submitted that as such the trial will take very long time to conclude.

3. Learned counsel for the State was called upon to inform the Court regarding the status of trial who submits that he has no instructions regarding the same as of now.

4. Looking to the arguments and facts of the matter, it would be appropriate in the fitness of things to call for a report of the trial court through the District and Sessions Judge concerned regarding the status of trial specifically mentioning therein the current stage of trial, as to whether charge has been framed against him or not, and if framed on which date charge has been framed. The report shall further indicate that if charges have been framed what steps have been taken for proceedings with the trial. The trial court shall further give a report regarding the number of witnesses proposed to be examined by the prosecution and the number of witnesses, if any, examined till date. It shall further give a report as to why there is a delay in trial, which party is responsible for the delay and approximate time which would take in conclusion of trial.

5. Office to communicate this order to the District and Sessions Judge concerned within a week who shall send his/her report within ten days thereafter.

6. Let the matter be listed on 11.11.2024."

3. In compliance of the said order, the office though its report dated 08.11.2024 has placed a report dated 06.11.2024 received from the C.J.M. concerned, a perusal of it goes to show that the same has been forwarded by the District Judge, Gautam Buddh Nagar on 08.11.2024.

4. A perusal of the said report of the Chief Judicial Magistrate, Gautam Buddh Nagar goes to show that the matter is at the stage of framing of charge. Further, it shows that the matter is not proceeding since one or the other accused claim exemption and further that there are some accused lodged in different jails of different States who do not appear and thus it is pending. Paragraph 3 of the said report, specifically, states that the matter is pending for framing of charge. It states that the accused Tarun is in District Jail Gautam Buddh Nagar, Badri Narayan Tiwari is in Lucknow Jail, Pawan is in Etawah Jail, Ravindra is in Sonipat Jail, Sachin and Vijaypal are in Jaipur Jail, Pushpendra is in Bareilly Jail, Vinod is in Firoabad Jail, Vinod, Karanpal, Rajesh Bharadwaj and Sanjay Bhati are in Bharatpur Jail, Anil Shah is in Tihar Jail and Vishal Singh is in Budaun Jail in connection with other matters. It further states that the other accused persons, namely Lokendra, Bijendra Singh, Manoj Tyagi, Lalit Kumar, Rekha, Satendra Singh Bhaseen, V.K. Sharma, Suneel Prajapati, Adesh Bhati, Sanjay Goyal, Rajesh Yadav, Harish Kumar, Sohanveer, Videsh Bhati and Dinesh Kumar Pandey are appearing through their Advocates. It further states that the above mentioned accused who are lodged in different jails despite the court summoning

them are not appearing.

5. Further, paragraph 4 of the report states that with regards to the accused nos. 30 to 38 in the charge sheet, the representative / Managing Director are not detailed by their names and thus, vide order dated 14.10.2024, the Investigating Officer has been directed to provide their names and addresses for which he has been summoned. It states further that in the matter, 67 prosecution witnesses have to be examined but since the charge has not been framed till date, the prosecution evidence has not been recorded yet.

6. The trial court has thus, submitted that it is trying to frame the charges in the matter.

7. The situation thus in the matter looks quite grim. The matter has been lingering on since long for want of appearance of the accused for framing of charge. The report of the C.J.M. concerned goes to show that there has been negligence on the part of the investigating agency in the matter due to which the accused are not appearing and charges have not been framed till date. This cannot be accepted. The applicant is in jail since 06.11.2020 as stated in paragraph 39 of the counter affidavit of the State.

8. Let an affidavit be filed within four weeks by the Commissioner of Police, Gautam Buddh Nagar, disclosing and explaining as to why the accused are not appearing and what concrete steps have been taken by the investigating agency to ensure appearance of the accused before the trial court. It shall further address the issue as to what steps have been taken at their end for expeditious disposal of the trial. The fact that the present case is a scam having monetary implications in high magnitude cannot be lost sight.

9. Let the matter be listed on 07.02.2025."

6. There was subsequently, an application for correction moved by learned counsel for the State, which was allowed and necessary correction was done in the order dated 07.01.2025 vide order dated 04.02.2025. The said order reads as under :-

"Order on Criminal Misc. Correction Application

1. List revised.

2. Heard Sri Atul Srivastava, learned counsel for the applicant and Sri Roopak Chaubey, learned AGA-I for the State in an application dated 27.01.2025 for correction moved by the State of UP.

3. While placing paragraph no.3 of the said application, learned counsel for the State submits that the investigation in the present matter was conducted by the Economic Offences Wing, Meerut Sector Meerut which has its different Head of Department and, as such, the direction issued to the Commissioner of Police, Gautam Buddh Nagar in paragraph no.8 of the order dated 07.01.2025 be corrected accordingly.

4. In view of the application as filed by the State, the direction as issued in paragraph no.8 of the order dated 07.01.2025 to the Commissioner of Police Gautam Buddh Nagar be read to be a direction to the Additional Director General of Police, Economic Offences Wing, Lucknow.

5. Correction Application is allowed.

6. This order shall form a part of earlier order dated 07.01.2025."

7. An affidavit of compliance dated 28.02.2025 is on record which has been filed in compliance of order dated 07.01.2025 as corrected on 04.02.2025 by this Court. The said affidavit is of Mr. Prashant Kumar,

The Director General of Police, Uttar Pradesh, Lucknow and also holding the charge of Director General (EOW), Uttar Pradesh, Lucknow.

8. Attention of the Court has been drawn by learned counsel for the State to paragraph nos. 5, 6, 7, 8, 9, 10 and 11 of the said affidavit. They read as under :-

"5. That in pursuance of aforesaid order passed by Hon'ble Apex Court a consolidated charge sheet dated 21.12.2022 was filed in present case i.e. Case Crime No. 206/2019, P.S. Dadri, District Greater Noida, Commissionerate Gautam Budh Nagar against 38 accused out of which 28 are individuals/accused persons whereas rest of 10 are offending companies. A second charge sheet dated 01.02.2023 was filed against 6 accused, out of which 3 are individuals/accused persons and rest 3 are offending companies. The aforesaid charge sheets were filed against accused under different Sections of IPC as well as for the offences prescribed under Companies Act, RBI Act and Prize, Chits & Money Circulation Schemes (Banning) Act, 1978.

6. That it is submitted that till date charges could not be framed against accused persons. The reason behind non-framing of charges is that as many as 14 accused persons of the present case are in different jails whereas rest of accused persons are on bail and their presence before the Trial Court for framing of charges could not be materialized yet. Discharge Application of some of the co-accused persons is also pending for consideration before the Trial Court.

7. That it is relevant to note that 6 accused persons related to present case including the applicant are in six different jails of State of U.P. For their appearance before the Trial Court on date fixed for framing of charges, I.G. (EOW), Lucknow had sent a letter dated 19.02.2025 to Director General (Prison Administration & Reform Services), Uttar Pradesh, Lucknow, mentioning the name of accused persons and the concerned jails in which they are detained, and requested to ensure their appearance before the Trial Court of the present case on date fixed so that charges could be framed against them. For kind perusal of this Hon'ble Court copy of letter dated 19.02.2025 of I.G. (EOW), Lucknow sent to the Director General (Prison Administration & Reform Services), Uttar Pradesh, Lucknow is being filed herewith and marked as Annexure-1 to this affidavit.

8. That two accused persons, namely, Sachin Bhati and Vijay Pal Kasana are at present in Jaipur Jail, whereas accused Rajesh Bhardwaj and Sanjay Bhati are in Bharatpur Jail at present. Therefore, I.G. (EOW), Lucknow had sent a letter dated 19.02.2025 to Director General (Prison), Jaipur, Rajasthan, mentioning the name of accused persons and the concerned jails in which they are detained, and requested to ensure their appearance before the Trial Court of the present case on date fixed so that charges could be framed against them. For kind perusal of this Hon'ble Court copy of letter dated 19.02.2025 of I.G. (EOW), Lucknow sent to Director General (Prison), Jaipur, Rajasthan is being filed herewith and marked as Annexure-2 to this affidavit.

9. That two of the accused persons, namely, Ravindra and Vinod Kumar s/o Kapoor Singh are at present detained in Sonapat Jail, Haryana whereas accused Karan Pal Singh is in Bhondsi Jail, Gurugram, Haryana. The I.G. (EOW), Lucknow had sent a letter dated 19.02.2025 to Director General (Prison),

Panchkula, Haryana, mentioning the name of accused persons and the concerned jails in which they are detained, and requested to ensure their appearance before the Trial Court of the present case on date fixed so that charges could be framed against them. For kind perusal of this Hon'ble Court copy of letter dated 19.02.2025 of I.G. (EOW), Lucknow sent to Director General (Prison), Panchkula, Haryana is being filed herewith and marked as Annexure-3 to this affidavit.

10. That accused Anil Shah is at present detained in Tihar Jail, New Delhi. The I.G. (EOW), Lucknow had sent a letter dated 19.02.2025 to Director General (Prison), New Delhi, mentioning the name of accused person and the concerned jail in which he is detained, and requested to ensure his appearance before the Trial Court of the present case on date fixed so that charges could be framed against him. For kind perusal of this Hon'ble Court copy of letter dated 19.02.2025 of I.G. (EOW), Lucknow sent to Director General (Prison), New Delhi is being filed herewith and marked as Annexure-4 to this affidavit.

11. That the investigating agency, at its level is taking all the measures for production of accused persons (who are in jail) before the Trial Court so that charges against them could be framed. Necessary correspondence has been made by the I.G. (EOW), Lucknow to different Jail Authorities in this regard."

9. Further attention of the Court has been drawn to paragraph No. 14 of the said affidavit. The same reads as under :-

"14. That it is respectfully submitted that the prosecution is duty bound for expeditious disposal of trial/proceedings before the Court concerned. In the present case, 31 individuals as well as 13 companies have been charge sheeted. Some of them are on bail whereas the others are in different jails of the country. During the Court proceedings due to non-appearance of jailed accused persons as well as for non-cooperation on the part of accused persons who are on bail, charges could not have been framed yet. The delay in framing of charges is not intentional on the part of investigating agency. However, concrete steps have been taken on behalf of investigating agency to secure the presence of accused persons so that charges may be framed against them at the earliest."

10. The report of the District & Sessions Judge concerned was called for regarding the status of trial vide order dated 17.10.2024. The details of the report as received have already been mentioned in the order dated 07.01.2025, which has been quoted hereinabove.

11. The fact in the matter thus remains that the applicant is in jail since 25.06.2019 and the charge till date in the present matter has not been framed. The non framing of charge in the matter as it appears from the report of the C.J.M. concerned dated 06.11.2024 and the affidavit of compliance dated 28.02.2025 of the State as stated is that there are many number of accused persons spread in various States of the country and some of them are on bail whereas some of them are in jail in the respective States and thus, there appearance could not be arranged before the trial court due to which charge could not be framed. The affidavit of compliance of the State in extenso states of the steps taken by the State agencies to procure the attendance of the accused, who are of different States and some of them are in jail in different States. The fact of the matter thus remains that the charge in the matter has not been framed.

12. While placing paragraph no. 48 of the affidavit in support of the bail application, learned counsel for

the applicant has submitted that the applicant has no criminal history and there are several cases relating to the same dispute in which he has been subsequently, implicated because of the fact that he was nominated as a Director of the Company. The contents of paragraph 48 of the affidavit in support of the bail application has although been replied in paragraph 40 of the counter affidavit dated 01.02.2023 of the State, which states that contents of the counter affidavit are being reiterated and shall be disclosed at the time of hearing, on which learned counsel for the State further points out that as per paragraph 18 of the said counter affidavit, the applicant is accused in other cases relating to Bike Boat Scam. It is, thus, clear that except for the cases relating to the present scam, the applicant is not involved in other criminal activities.

13. Learned counsel for the State has vehemently opposed the bail and submitted that for the fault of the accused, the accused cannot take advantage and in the present case, the fact is that the accused persons have not appeared before the trial court for one or the other reasons due to which charge could not be framed thus, no benefit should be given to the applicant. It is further submitted that looking to the quantum of money involved in the matter and the incident and its nature, the applicant should not be granted bail.

14. After having heard the learned counsels for the parties and perusing the records and also perusing the report of the C.J.M. concerned along with compliance affidavit of the State, it transpires that the applicant is in jail since 25.06.2019. The charge in the matter is yet to be framed. He has remained in jail for about 5 years and 9 months. Looking to the same, it is provided that the applicant shall be released on a short term bail for a period of four months from today.

15. Let the applicant Vinod be released on short term bail for a period of four months in the aforesaid case crime number on furnishing a personal bond and two sureties (one of the sureties of the applicant will be his family member and the other to be of local person) each in the like amount to the satisfaction of the court concerned with the following conditions which are being imposed in the interest of justice:-

(i) The applicant will not tamper with prosecution evidence and will not harm or harass the victim/complainant in any manner whatsoever.

(ii) The applicant will abide the orders of court, will attend the court on every date and will not delay the disposal of trial in any manner whatsoever.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant will not misuse the liberty of bail in any manner whatsoever. In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under section 82 Cr.P.C., may be issued and if applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under section 174-A I.P.C.

(v) The applicant shall remain present, in person, before the trial court on dates fixed. If in the opinion of

the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law and the trial court may proceed against him under Section 229-A IPC.

(vi) The trial court may make all possible efforts/endeavour and try to conclude the trial expeditiously after the release of the applicant.

16. The identity, status and residential proof of sureties will be verified by court concerned and in case of breach of any of the conditions mentioned above, court concerned will be at liberty to cancel the short term bail and send the applicant to prison.

17. The applicant shall surrender before the court concerned on 03.08.2025 before the C.J.M. / trial court concerned and affidavit of compliance shall be filed within a week, thereafter. The C.J.M. / trial court concerned shall send their report regarding compliance of this order within one week thereafter.

18. Learned counsel for the State is also expected to ensure the appearance of the accused before the trial court as expeditiously as possible and also ensure that the matter is not delayed further.

19. The District & Sessions Judge concerned and the C.J.M. concerned are directed to ensure that the matter is not adjourned unnecessarily and no unnecessary adjournment is given to either of the parties.

20. Let the matter be listed on 18.08.2025."

7. Let the applicant Vinod Kumar be released on short term bail for a period of four months in the aforesaid case crime number on furnishing a personal bond and two sureties (one of the sureties of the applicant will be his family member and the other to be of local person) each in the like amount to the satisfaction of the court concerned with the following conditions which are being imposed in the interest of justice:-

(i) The applicant will not tamper with prosecution evidence and will not harm or harass the victim/complainant in any manner whatsoever.

(ii) The applicant will abide the orders of court, will attend the court on every date and will not delay the disposal of trial in any manner whatsoever.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant will not misuse the liberty of bail in any manner whatsoever. In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under section 82 Cr.P.C., may be issued and if applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under section 174-A I.P.C.

(v) The applicant shall remain present, in person, before the trial court on dates fixed. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law and the trial court may proceed against him under Section 229-A IPC.

(vi) The trial court may make all possible efforts/endeavour and try to conclude the trial expeditiously after the release of the applicant.

8. The identity, status and residential proof of sureties will be verified by court concerned and in case of breach of any of the conditions mentioned above, court concerned will be at liberty to cancel the short term bail and send the applicant to prison.

9. The applicant shall surrender before the court concerned on 03.08.2025 before the C.J.M. / trial court concerned and affidavit of compliance shall be filed within a week, thereafter. The C.J.M. / trial court concerned shall send their report regarding compliance of this order within one week thereafter.

10. Learned counsel for the State is also expected to ensure the appearance of the accused before the trial court as expeditiously as possible and also ensure that the matter is not delayed further.

11. The District & Sessions Judge concerned and the C.J.M. concerned are directed to ensure that the matter is not adjourned unnecessarily and no unnecessary adjournment is given to either of the parties.

12. Let the matter be listed on 18.08.2025."

8. A report dated 12.09.2025 of the office places on record in Crl. Misc. Bail Application No. 2625 of 2021 a report received from the CJM, Gautam Budh Nagar. This Court has perused the same. The said report dated 13.08.2025 of the CJM, Gautam Budh Nagar duly forwarded by the District Judge, Gautam Budh Nagar on 14.08.2025 states that in compliance of the order dated 04.04.2025 of this Court granting short term bail for a period of four months to the applicant he did not file his bail bonds and sureties.

9. The prosecution case as per the F.I.R. lodged on 12.02.2019 by Sunil Kumar Meena s/o Devi Lal Meena resident of Flat No.-GF1, Bhavya Praide Apartment, S.K.I.T. Engineering College near Jagatpura, Jaipur against Sanjay Bhati, Rajesh Bhardwaj, Sunil Kumar Prajapati, Dipti Bahal, Sachin Bhati and Karan Pal Singh is that in the first week of October he entered into an agreement with a Bike Taxi Company by depositing Rs. 34 lakhs. The name of the company was Bike Bot powered by Gravit Innovative Promoter Limited, the owner of the said company is Sanjay Bhati and the other directors of the company are Rajesh Bhardwaj, Sunil Kumar Prajapati, Dipti Bahal, Sachin Bhati and Karan Pal Singh. The company was having its registered office at Plot No.1, Chiti, Gautam Budh Nagar, Greater Noida, U.P. and the other offices of the company are situated at Dadri and Grand Vanis Mall, Noida. The informant has executed the agreement with Sanjay Bhati on a stamp paper of Rs. 1000/- with the postulation that the company will open franchise by giving informant 51 bikes which would be operated like Ola Bike and Uber in Jaipur and as per the terms of the agreement the salary of 51 drivers will be given by the company and the company shall also provide rent of bike parking @ 200/- per bike. The informant came to know about the company from the Manger of Andhara Bank, Branch Jagat Pura, Jaipur who also informed him that he has also invested in six bikes and on

further enquiry the informant came to know that many people of Jaipur who are acquainted to him have also invested in the said company. Each one of them were getting payment per month by the company but after 01-02 months the company stopped the payment. The informant was to get Rs. 6,45,000/- in his bank account of Andhara Bank but he received only Rs. 66,000/- from the company and since the last two months neither he nor anyone has received any money. The company has no bike online booking app. The informant many times visited the company but the officials told him that they only keep bikes for showing while the company earns by making people join the company and he should also pursue people to join the company if he wants to earn. Apart from 51 bikes only 26 bikes have been sent to the informant. The informant has come to know that the owner of the company Sanjay Bhati has appointed another CEO of the company, grabbed money of everyone and has cheated everyone. The company is not providing any bike taxi services rather it is rotating money as chit fund company. The company has promised to pay Rs. 75 lakhs from of investment of Rs. 34 lakhs. The company has done fraud with many people, the bank accounts of the company be seized and his report be lodged.

10. Learned counsel for the applicant submitted that the applicant has been falsely implicated in the present case. It is submitted that the applicant was inducted as Additional Director in the company on 15.02.2019 but could not resign as he has gone to jail. It is submitted that the applicant was an investor in the company in the alleged scheme was floated by Sanjay Bhati the owner of the company in the year 2017. It is submitted that the applicant is in jail since 23.02.2020 and as such has remained in jail for more than 6 years. It is further submitted that looking to the period of detention the Apex Court has granted bail to co-accused Sachin Bhati vide order dated 29.10.2025 passed in SLP (Crl.) No.3062 of 2025, Sachin Bhati vs. State of Uttar Pradesh and another, copy of the said order has been placed before the Court which is taken on record. The same reads as under:-

"Leave granted.

Having heard arguments at length in this matter over several dates, we are of the opinion that the continued incarceration of the appellant, Sachin Bhati, cannot be prolonged further.

We are informed that charges have been framed but the trial is yet to commence. The First Information Report (FIR)/Case Crime in question dates back to 12.02.2019 and the appellant, Sachin Bhati, has been in custody since 07.10.2020. Though the financial implications of the alleged offence are quite serious and are of a very large magnitude, the appellant, Sachin Bhati, cannot be presumed to be guilty at this stage, so as to continue his pre-trial custody.

He would, therefore, be entitled to grant of bail in connection with the FIR/Case Crime in question on conditions. Ordered accordingly.

Appropriate terms and conditions may be fixed by the trial Court in this regard. In addition thereto, the appellant, Sachin Bhati, shall deposit a sum of 1,50,00,000/- (Rupees one crore fifty lakhs only) to the credit of Criminal Case No. 4328/2019 arising out of the FIR/Case Crime in question, pending on the file of the learned Chief Judicial Magistrate, Gautam Buddha Nagar, Uttar Pradesh.

The aforesated amount shall be deposited within eight weeks from today and upon such deposit, the learned CJM shall invest the amount in an interest bearing Fixed Deposit Account with a nationalized bank for a fixed term so as to garner the maximum rate of interest, with an auto-renewal clause.

Learned counsel appearing for the investors would pray for appropriate directions for disbursal of the amounts already collected by the State from the accused. However, as we are informed that the Corporate Insolvency Resolution Process has already been initiated against M/s. Garvit Innovative Promoters Limited, it would be appropriate for the investors to approach the adjudicating authority under the Insolvency and Bankruptcy Code, 2016, for appropriate directions in that regard if their claims have already been admitted by the Resolution Professional.

The impugned judgment/order passed by the High Court is set aside and the appeal is allowed in the above terms.

We clarify that we have not made any observations/comments on the merits of the case and any observation made in this order is meant only for the limited purposes of grant of bail.

Pending application(s), if any, shall stand disposed of."

11. It is submitted that the applicant is not named in the F.I.R. and his implication has surfaced in the matter during investigation. It is submitted that Sachin Bhati who has been granted bail by the Apex Court was named in the F.I.R. along with 5 other accused. It is submitted that apart from the cases of bike bot in which the applicant has been made an accused, the applicant has no previous criminal history, para-27 of the affidavit in support of his bail application in Crl. Misc. Bail Application No. 33586 of 2022 has been placed for the same. It is submitted that charge has been framed on 01.8.2025 and there are more than 70 witnesses to be examined which is yet to commence and would take a sufficiently long time to conclude. It is submitted that the prayer for bail be allowed and the applicant be released on bail.

12. Per contra, learned A.G.A. opposed the prayer for bail vehemently but did not dispute the fact with regard to period of incarceration of the applicant, status and stage of trial, the fact that apart from the cases concerning the present scam the applicant has no other criminal antecedents and also the fact that co-accused Sachin Bhati has been granted bail by the Apex Court vide order dated 19.10.2025. Learned State counsel submitted that in so far as the accused Sachin Bhati is concerned, the Apex Court while granting bail, has directed him to deposit some amount before the trial court and has also directed to ensuring the deposit of the said amount in a fixed deposit. It is submitted

that since the allegations against the applicant is of embezzlement of amount to the tune of about more than Rs. 6,666,344/- and had purchased four properties, appropriate directions be issued for deposit of some amount by him before the trial court concerned and further securing the said amount as has been directed by the Apex Court in the case of Sachin Bhati (Supra). It is further submitted that further directions be issued to the applicant to deposit his passport, if any, before the trial court so as to ensure that he does not abscond from the country.

13. After having heard learned counsels for the parties and perusing the record, it is evident that the applicant initially was an investor in the company in the year 2017. He was then inducted as an Additional Director on 15.02.2019 and could not resign from the said post as he has gone to jail. It is informed that there are more than 70 witnesses to be examined in the trial which is yet to commence and thus the trial would take a sufficiently long time to conclude. Co-accused Sachin Bhati the then Director of the company at the time of launching of scheme, has been granted bail by the Apex Court vide order dated 29.10.2025. Co-accused Vijaypal Kasana has also been granted bail by this Court vide order dated 11.11.2025 passed in Crl. Misc. Bail Application No. 45265 of 2020 (Vijaypal Kasana Vs. State of U.P.). Further co-accused Ravindra Singh, Vinod and Vishal Kumar have also been granted bail by this Court vide orders dated 12.02.2026, 11.11.2025 and 13.01.2026 respectively passed in Crl. Misc. Bail Applications Nos. 26005 of 2024 (Ravindra Singh Vs. State of U.P. and another), 2625 of 2021 (Vinod Vs. State of U.P.) and 20069 of 2025 (Vishal Kumar Vs. State of U.P.), copy of the said orders have been produced before the Court which are taken on record.

14. Let the applicant- **Vinod Kumar**, be released on bail in the aforesaid case crime number on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions which are being imposed in the interest of justice:-

i) The applicant will not tamper with prosecution evidence and will not harm or harass the victim/complainant in any manner whatsoever.

ii) The applicant will abide the orders of court, will attend the court on every date and will not delay the disposal of trial in any manner whatsoever.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(iv) The applicant will not misuse the liberty of bail in any manner

whatsoever. In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under section 82 Cr.P.C., may be issued and if applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under section 174-A I.P.C.

(v) The applicant shall remain present, in person, before the trial court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law and the trial court may proceed against him under Section 229-A IPC.

(vi) The trial court may make all possible efforts/endeavour and try to conclude the trial expeditiously after the release of the applicant.

(vii) The applicant shall not leave India without the previous permission of the Court and if he has passport the same shall be deposited by him before the court concerned.

15. The identity, status and residential proof of sureties will be verified by court concerned and in case of breach of any of the conditions mentioned above, court concerned will be at liberty to cancel the bail and send the applicant to prison.

16. The applicant shall deposit a sum of Rs.7,00,000/-(Rupees Five Lakh only) to the credit of the FIR/Case Crime in question, before the learned Chief Judicial Magistrate, Gautam Buddha Nagar, Uttar Pradesh.

17. The aforesaid amount shall be deposited within eight weeks from today and upon such deposit, the learned CJM shall invest the amount in an interest bearing Fixed Deposit Account with a nationalized bank for a fixed term so as to garner the maximum rate of interest, with an auto-renewal clause.

18. Both the bail applications are **allowed**.

19. Pending application(s), if any, shall stand disposed of.

(Samit Gopal,J.)

April 9, 2026
M. ARIF