

In Chamber

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 20226 of 2019

Applicant :- Ajay Kumar

Opposite Party :- State of U.P.

Counsel for Applicant :- Birendra Kumar Arya, Sheikh Obaidullah

Counsel for Opposite Party :- G.A., Abhishek Tiwari

Hon'ble Ajit Kumar, J.

This bail application has been taken up during lock-down period as an urgent one.

Heard Sri Ratan Singh learned Additional Government Advocate for the State through video conferencing and perused the records as well as written objection filed by the learned by the State through mail. However, learned counsel for the applicant is not present on video conference.

The applicant is seeking bail in connection with case crime no. 181 of 2018, under Section 419, 420, 467, 468, 471, 504, 506 IPC, P.S. Muhamdabad, District Mau.

As per allegation in the first information report, the applicant alongwith others have fraudulently got prepared Visa for foreign tour in favour of the informant as well as ticket for the said purpose but later on it transpired that it was all forged one.

It has been pleaded in the affidavit filed in support of the bail application that the applicant has been not named in the first information report and his name came into light on the statement of one victim Deepak Pandey. It has been further pleaded that the applicant has been falsely implicated in the present case and he has no criminal history. The applicant is in jail since 19.03.2019.

Learned AGA has opposed the bail but has admitted the fact that the applicant has no criminal history and submitted that the charge-sheet has already been filed by the police in the present case.

In view of overall facts and circumstance of the case, the Court is of the opinion that the applicant is entitled to be admitted to bail.

Accordingly, applicant namely Ajay Kumar is admitted to bail. Considering the special circumstances of the lock-down prevailing in the district concerned presently and in the light of the directions of this Court in PIL No. 564 of 2020 dated 06.04.2020, let the applicant, Ajay Kumar be enlarged on bail in

the aforesaid case crime number on his furnishing a personal bond only to the satisfaction of the jail authorities, where the applicant is languishing.

It is further provided that this bail order available on the official website of the High Court will be taken to be the authentic one.

However, it is further directed that within period of four weeks from the date of lifting of the complete lock-down in the District concerned resulting in resumption of normal functioning of the Courts in that district, the applicant shall furnish two sureties each of the like amount to the satisfaction of the court concerned alongwith certified copy of this order, failing which the bail granted by this court shall stand cancelled necessitating surrender of the applicant.

It is further directed that the applicant shall not misuse the liberty of bail and shall cooperate with the police/ investigating agency/ trial as the case may be.

Office of the Government Advocate is directed to inform forthwith about this bail order to the the S.P/S.S.P of the district concerned for necessary information to the jail authority where the applicant is languishing.

In view of the aforesaid, the bail application stands disposed of.

Order Date :- 30.5.2020

Sanjeev