

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 11845 of 2023

**Applicant :-** Vishnu Gupta @ Vishnu Kumar Gupta

**Opposite Party :-** State Of Thru. Prin. Secy. Home Civil Sectt. Govt. Lko

**Counsel for Applicant :-** Mukul Kumar Sharma, Mohit Sharma

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi, J.**

1. Heard Sri Mohit Sharma, the learned counsel for the applicant, the learned A.G.A. for the State and perused the records.

2. By means of the instant application the applicant Vishnu Gupta @ Vishnu Kumar Gupta seeks bail in Case Crime No. 656 of 2020, under sections 406, 419, 420, 467, 468, 471, 506, 120-B IPC, Police Station Kotwali Nagar, District Faizabad/Ayodhya.

3. The aforesaid case has been registered on the basis of a first information report (F.I.R.) lodged on 01.10.2020 against 10 named persons, including the applicant and one unknown person, alleging that the informant, his family members and acquaintances had invested about Rs.3,03,304/- in Eye Vision India Credit Cooperative Society Limited and other companies under an allurement of lucrative return. After maturity of the aforesaid investment, when the informant tried to take her money back, the Company refused to do so.

4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent and he has falsely been implicated in the present case. It has also been stated in the affidavit that the applicant does not hold any position in the aforesaid Company and he has been implicated in the present case merely because his brother Ajit Gupta is Director in the said Company.

5. The applicant's criminal history of 50 cases of similar nature, all arising out of transactions of the aforesaid Company has

been disclosed in para-29 of the affidavit filed on behalf of the applicant stating that the applicant has been granted bail in 47 of those cases. It has also been stated that the co-accused Jai Prakash Upadhyay, Anjani Kumar Kaushal and Ajay Kumar Upadhyay have already been enlarged on bail and copies of their bail orders have been annexed as Annexure No.3 to the affidavit.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is not a Director of the company in which the informant had made investments; that the applicant is merely brother of a Director of the Company Ram Gopal Gupta have already been granted bail, I am of the view that the applicant is also entitled to be released on bail.

7. Accordingly, this bail application stands **allowed.**

8. Let the applicant-**Vishnu Gupta @ Vishnu Kumar Gupta** be released on bail in the aforesaid case, on his 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 :- 4.10.2023**

Preeti.