

**FIR NO. 138/2020
PS CRIME BRANCH
STATE VS. RAKESH KUMAR AWASTHI**

PROCEEDINGS CONDUCTED THROUGH CISCO WEBEX.

It is certified that the connection during hearing through Cisco Webex was uninterrupted and the voice and video was clear and the Ld. APP for the State and Ld. Counsel for the parties appearing through V/C did not raise any objection regarding the quality of V/C.

Present: Sh. Vikas, Ld. APP for the state.

Sh. Shahid Ahmad, Ld. Counsel for the applicant/accused.

The present application has been filed u/s 437 CrPC on behalf of the applicant/accused Rakesh Kumar Awasthi seeking bail on the ground that applicant/accused is a practising Advocate having good antecedents and has been falsely implicated in the present case. It is further submitted that applicant/accused is innocent and has not prepared any forged document. Therefore it is prayed that accused be released on bail subject to any conditions that may be imposed by this Court.

Reply has been filed by the IO.

Ld. APP for the state has opposed the present application submitting that accused has been previously involved in similar type of offences.

Heard. Perused the record.

In the present matter, accused allegedly prepared forged letters by forging the signatures of Hon'ble Home Minister of India Sh. Amit Shah and Hon'ble Chief Minister of Uttar Pradesh Sh. Yogi Adityanath for the purpose of appointment as Special Public Prosecutor in the Narcotics Control Bureau.

Keeping in view the nature and gravity of the offences involved applicant/accused deserves no leniency on the ground that he is a Legal Practitioner since 1991 as grave allegations of forging recommendation letters have been levelled against the applicant/accused. The alleged forgery was done for the purpose of securing appointment as Special Public Prosecutor. Therefore, keeping in view the entire facts and circumstances of the present case bail application deserves to be dismissed. Accordingly, the present bail application stands dismissed.

Proceedings be sent to the Court concerned through proper channel.

Copy of the order be sent to Ld. Counsel for the applicant/accused through email/whatsapp.

(ASHWANI PANWAR)

MM-04/PHC/NDD-09.11.2020