

Court No. - 78

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12677 of 2023

Applicant :- Praveen Patel

Opposite Party :- State of U.P.

Counsel for Applicant :- Prashant Vyas, Ajay Kumar Pandey, Kanchan Sharma, Sr. Advocate

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh, J.

1. Heard Sri Gopal Swaroop Chaturvedi, learned Senior Advocate, assisted by Sri Prashant Vyas, learned counsel for the applicant as well as learned A.G.A. for the State and perused the entire record.
2. The present bail application has been filed by the applicant in case crime No. 67/2023, under Sections 417, 420, 467, 468 IPC and Section 7-A, 12/8 of Prevention of Corruption Act, police station-Hariparvat, District-Agra with the prayer to enlarge the applicant on bail.
3. According to prosecution version, on 14.02.2023 co-accused Ujair Khan went to the police station Hariparvat, district Agra and introduced himself as Sub Inspector of police by the name of Rafeeq Chauhan and told that he has been sent by Praveen Patel (corporator) and asked the informant/Sub Inspector to exonerate one Raj Kumar and Ajay Goyal @ Ajju Langada from a criminal case and he offered Rs. 92,000/- to the informant/Sub Inspector for that purpose.
4. It has been argued by learned counsel for the applicant that the applicant-accused is innocent and he has been falsely implicated in this case. The only allegation against the applicant is that the co-accused Ujair Khan had told the police that he has been sent by

the applicant/accused. Except that, there is no other allegation against the applicant/accused. Neither the applicant/accused has approached the police nor anything has been recovered from him. The applicant is an elected corporator of municipal corporation and he has been falsely been implicated in order to ruin his political image. The applicant has no connection at all with alleged Ajju Goyal alias Ajju Langra. Referring to the facts of the matter, it is submitted that no case is made out against the applicant. It is further submitted that the co-accused Ujair Khan, who has allegedly impersonated himself as Sub-Inspector of police, has already been granted bail by this Court vide order dated 31.7.2023 passed in Criminal Misc. Bail Application No. 31111 of 2023. Lastly, it was submitted that the applicant is in judicial custody since 15.02.2023, having no criminal history, and that in case, applicant is enlarged on bail, the applicant will not misuse the liberty of bail.

5. Learned A.G.A. has opposed the prayer for bail and argued that there are serious allegations against the applicant.

6. Considering the submissions of learned counsel for the parties, nature of accusations, period of custody and all attending facts and circumstances of the case, without expressing any opinion on the merits of the case, the Court is of the view that a case for bail is made out. Hence, the bail application is hereby allowed.

7. Let the applicant **Praveen Patel** involved in the aforesaid crime be released on bail on furnishing a personal bond and two local sureties each of the like amount to the satisfaction of court concerned subject to the following conditions:

- i. The applicant will not tamper with the evidence during trial.
- ii. The applicant will not pressurize/intimidate the prosecution witnesses.

iii. The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.

iv. The applicant will not try to contact, threat or otherwise influence the complainant or any of the witness of the case.

8. In case of breach of any of the above condition, the court concerned shall be at liberty to cancel the bail of applicant, in accordance with law.

Order Date :- 2.11.2023

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