

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43604 of 2023

Applicant :- Rajendra Singh

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Ashish Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.

2. The FIR in question was lodged through a complaint in the year 2018 alleging that the applicant had enticed the complainant to party away the valuable consideration based upon an allegation that a registered Will executed in his favour whereas subsequently, it was revealed that the Will was not registered.

3. It is argued by the Counsel for the applicant is that a civil suit is also going on in between the parties being Original Suit No.255 of 2019 and the present complaint is nothing but an abuse of the process of law.

4. Learned A.G.A. vehemently opposed the bail prayer.

5. Considering the fact that a civil dispute is going on in between the parties with regard to the genuineness of the Will coupled with the fact that the applicant has no criminal antecedents and without expressing any opinion on merit, I am of the view that the applicant is entitled to be released on bail.

6. Accordingly, the bail application is ***allowed***.

7. Let the applicant ***Rajendra Singh*** be released on bail in FIR/ Case Crime No.534 of 2019, under Sections 420, 467, 468, 471 IPC, Police Station Paniyara, District Maharajganj on his furnishing personal bonds and two reliable sureties of Rs.25,000/- each to the satisfaction of the court concerned with the following conditions:

(a) The applicant shall execute a bond to undertake to attend the

hearings;

(b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 31.10.2023

akverma