

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43988 of 2023

Applicant :- Raghvendra Pratap Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Vishnu Dutt Tiwari

Counsel for Opposite Party :- G.A.,Prabhakar Pal

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and Sri Prabhakar Pal, learned Counsel for the complainant and perused the record.

2. The FIR in question was lodged alleging that a sale deed was executed by the persons named in the FIR in respect of a property, however, subsequently on the basis of investigation carried out, it transpires that the members of the sale deed were not authorized to sell the entire property as they were the shareholder to the extent of 4/14 of the total property. The FIR in question was lodged through an application under Section 156(3) of Cr.P.C. Based upon the said FIR, the applicant was apprehended and is in custody since 16.09.2023.

3. In the report submitted by the police authorities in the application filed by the complainant under Section 156(3) of Cr.P.C., it transpires that there was a civil dispute.

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

5. Considering the fact that the nature of allegations are with regard to the rights of the vendors executed the sale deed against which a civil suit is also pending coupled with the fact that the applicant has no criminal antecedents and is in custody since 16.09.2023 and there is nothing on record to demonstrate that the applicant if enlarged on bail, would in any way adversely affect the trial 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 ***Raghvendra Pratap Singh*** be released on bail

in FIR/ Case Crime No.249 of 2019, under Sections 420, 467, 468, 471, 406, 507 IPC, Police Station Kotwali City, District Etah 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 :- 30.10.2023
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