

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45633 of 2023

Applicant :- Sagar Chauhan

Opposite Party :- State of U.P.

Counsel for Applicant :- Manoj 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 alleging that the sale deed was executed in the year 2012 and subsequently after five years, when the informant wanted to raise constructions, some disputes arose in between the parties.
3. The contention of the Counsel for the applicant is that from the reading of the FIR, it is clear that the dispute pertains to demarcation of the area, which was sold and there is no allegation of wrong sale deed executed. The FIR in question was lodged after about 10 years of the execution of the sale deed. It is argued that prior to the offence in question, the applicant has no criminal antecedents.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. Considering the nature of allegations levelled in the FIR, which are, prima facie, simple in nature and there being no allegation of any forged sale deed being executed in the year 2012, 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 ***Sagar Chauhan*** be released on bail in FIR/ Case Crime No.476 of 2022, under Sections 420, 467, 468, 471, 379, 406, 506, 120B IPC, Police Station Chiluwatal, District Gorakhpur 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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