

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 48559 of 2023

Applicant :- Pradeep

Opposite Party :- State of U.P.

Counsel for Applicant :- Vikas Sharma

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. In terms of the FIR, it was alleged that in the year 1992, a power of attorney was executed in the name of the wife of the informant and a will deed was duly executed, subsequently, the wife of the informant died and two persons, namely, Anil Tyagi and Kapil Tyagi have sold the said property as an imposter to someone else. As against the applicant, it was alleged that he was a witness of the lease deed executed by the Ghaziabad Development Authority to the first allottee. No specific allegations of any fraud or collusion with Anil Tyagi and Kapil Tyagi has been levelled against the applicant.

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

4. Considering the fact that the applicant has no criminal antecedents, no allegation of collusion or fraud has been levelled against the applicant and without expressing any opinion on merit, I am of the view that the applicant is entitled to be released on bail. Accordingly, the bail application is ***allowed***.

6. Let the applicant ***Pradeep*** be released on bail in FIR/ Case Crime No.493 of 2023, under Sections 419, 420, 467, 468, 471, 120B IPC, Police Station Sihani Gate, District Ghaziabad 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 :- 9.11.2023

akverma