

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15217 of 2021

Applicant :- Anindo Biswas

Opposite Party :- State Of U.P. Thru Prin.Secy. Home Lucknow

Counsel for Applicant :- Ghulam Mohammad Kamil,Gyanendra Pathak

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Gyanendra Pathak, the learned counsel for the applicant as well as Sri Anant Pratap Singh, the learned A.G.A.-I for the State and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 172 of 2020, under Section 420, 465, 467, 468, 471 I.P.C. and Section 12 of Passport Act, 1967, registered at Police Station Kotwali Dehat, District Bahraich.

3. The aforesaid case has been registered on the basis of F.I.R. lodged by a Inspector of police against the applicant, a Sub Inspector of Police, a Village Pradhan and an unknown person, alleging that the applicant is a citizen of Bangladesh and he has fraudulently obtained Adhaar Card and Pan Card showing him to be an Indian citizenship.

4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.

5. The State has filed a counter affidavit opposing the bail application. A copy of the relevant extract of case diary annexed with the counter affidavit indicates that it has come to light during investigation that the applicant's parents used to live in West Bengal, which supports the applicant's claim of being an Indian

citizen.

6. The learned counsel for the applicant has submitted that the applicant is languishing in jail since 15.07.2021 and even the charges have not been framed till date.

7. Having considered the aforesaid facts and circumstances of the case without making any observations which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail.

8. Accordingly, this bail application stands **allowed**.

9. Let the **applicant- Anindo Biswas** be released on bail in the aforesaid case, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the following conditions: -

(i) the applicant shall not tamper with the prosecution evidence;

(ii) the applicant shall not pressurize the prosecution witnesses;

(iii) the applicant shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi,J.)

Order Date :- 21.11.2023

Preeti.