

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 1027 of 2023

Applicant :- Rajbeer Rawat

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

Counsel for Applicant :- Mohammad Aslam Beg

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Mohammad Aslam Beg, learned counsel for the applicant, Sri Arpit Kumar, learned A.G.A. for the State and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.0191 of 2022, under Sections 419, 420, 467, 468, 471, 120B I.P.C., registered at Police Station Bijnore, District Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 30.10.2022 against three persons, including the applicant, alleging that the applicant has approached the informant with an offer of selling a land of one Virendra Kumar s/o Choteylal and he got an agreement to sell executed through some imposter.

4. In the affidavit filed in support of 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. Copy of the statement of the tenure holder Virendra Kumar has been annexed with the counter affidavit wherein he stated that the applicant had approached him with an offer of purchasing his land and Rs.22,00,000/- were transferred to his bank account but thereafter nobody contacted him for a very long period. However, at the same time, he also stated that he has not executed any agreement to sell and same has been executed by any other person.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the tenure holder has accepted having executed the agreement to sale of land after receiving Rs.22,00,000/- towards consideration and without making any observation, 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 in the aforesaid crime.

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

8. Let the **applicant**-Rajbeer Rawat be released on bail in aforementioned case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to 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 :- 16.11.2023
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