

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 4280 of 2023

Applicant :- Ranvijay Singh

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

Counsel for Applicant :- Anshuman Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Anshuman Singh, the learned counsel for the applicant as well as Sri Rakesh Kumar Singh, the learned A.G.A. 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. 630 of 2021, under Section 420, 467, 468, 471, 120-B I.P.C., registered at Police Station Sarojani Nagar, District Lucknow South.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 25.11.2021 against five named accused persons and some unknown persons alleging fraudulent execution of a sale-deed by the accused persons. The applicant was not named in the F.I.R and he has not been named in the statements of any of the witnesses recorded by the Investigating Officer.

4. During investigation, recorded statement of one of the witnesses Satya Pakash Srivastava, the Investigating Officer recorded that the Mukhbir told him that the applicant was also involved in causing the incident under a conspiracy.

5. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent and he has been falsely implicated in the present case.

The State has filed a counter affidavit opposing the bail application and it has been pointed out that the applicant has a criminal history of four other cases.

6. A rejoinder affidavit has been filed on behalf of the applicant stating that in one of the cases the applicant's arrest has been stayed, in two cases he has not been summoned till date and the fourth case is the present one. It has also been submitted on behalf of the applicant that the co-accused Pravesh Kumar Yadav has already been granted bail by this court by means of

an order dated 03.07.2023, passed in Criminal Misc. Bail Application No.3724 of 2023.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is not named either in the F.I.R or in any of the statement recorded by the Investigating Officer and he has been implicated in the case merely on the basis of information given by a Mukhbir and there is no allegation for a specific act having been committed by the applicant, coupled with the fact that the applicant has no criminal history and he is languishing in jail since 19.01.2023 and 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-Ranvijay Singh** be released on bail in Case Crime No. 630 of 2021, under Section 420, 467, 468, 471, 120-B I.P.C., registered at Police Station Sarojani Nagar, District Lucknow South, 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.

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(Subhash Vidyarthi,J.)

Order Date :- 10.10.2023

Ram.