

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 4390 of 2023

Applicant :- Anant Ram Dubey

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

Counsel for Applicant :- Dinesh Kr. Sharma, Arshad Hafeez Khan, Dharmendra Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Dharmendra Kumar, the learned counsel for the applicant, Sri Amitabh Chaturvedi, the learned AGA-I for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in an FIR bearing Case Crime No. 10 of 2023, under Sections 420, 406, 447, 467, 468, 471, 120-B IPC, Police Station Kotwali Nagar, District Barabanki.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 04.01.2023 against four persons, including the applicant, alleging that the informant had purchased a plot of land from co-accused Sanjay Singh Singla, through a sale deed dated 12.02.2013 but possession of the land was not delivered.
4. The applicant has been implicated because he used to work as a Manager in Signla Developers.
5. In the affidavit filed in support of the 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.
6. One of the co-accused persons Ram Bahadur Singh, who has been described as care taker of the builder, has been granted anticipatory bail by means of an order dated 22.09.2023 passed by this Court in Criminal Misc. Anticipatory Bail Application No. 2068 of 2023.
7. Co-accused Antim Shukla has been granted bail by means of an order dated 16.10.2023 passed by this Court in Criminal Misc. Bail Application No. 12269 of 2023.
8. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

9. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the sale deed in question was executed in the year 2013 whereas the FIR alleging none delivery of possession has been filed on 04.01.2023; that the applicant is neither proprietor nor other principal position holder in Singla Developers and two co-accused persons have been granted bail/ anticipatory bail, I am of the view that the applicant is entitled to be released on bail in the present case also.

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

11. Let the applicant-***Anant Ram Dubey*** be released on bail in Case Crime No. 10 of 2023, under Sections 420, 406, 447, 467, 468, 471, 120-B IPC, Police Station Kotwali Nagar, District Barabanki 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.

Order Date :- 16.11.2023

Pradeep/-