

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 4568 of 2023

Applicant :- Raj Kumar Pandey @ Raj Pandey

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

Counsel for Applicant :- Aditya Srivastava, Ankit Srivastava, Rajneesh Maurya

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Ankit Srivastava, learned counsel for the applicant, Sri Pragyanand Rai, 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 F.I.R. No.0308 of 2022, under Sections 406, 120B, 420 I.P.C., registered at Police Station Sarojini Nagar, Lucknow (Central), Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 27.06.2022 against 8 persons, not including the applicant, alleging that the informant had paid some money for purchasing a plot of land from M/s Palm Estate Ltd., but the property was not transferred to her and the company's office was closed.
4. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, and he has been falsely implicated in the present case. Applicant's involvement in four other cases has been disclosed in para 18 of the affidavit in all of which he has been granted bail.
5. Learned counsel for the applicant has submitted that the applicant has no concern with the company in which the informant had made investments as he is neither Director of the company nor is any principal position holder of the company.
6. Co-accused, Mohd Ismail who was Managing Director of the Company, has been granted bail by the Sessions court in the present

case.

7. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that grievance of the informant is regarding non transfer of the property by the Company in which the applicant does not hold any position and that the Managing Director of the company has been granted bail 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.

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

10. Let the **applicant**-Raj Kumar Pandey @ Raj Pandey 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 :- 30.11.2023
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