

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7142 of 2022

Applicant :- Ajimuddin

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

Counsel for Applicant :- Rizwanul Haque Ansari, Aman Kumar Shrivastav, Brijesh Singh Lodhi Rajpoot, Dharm Trivedi, Manoj Kumar Yadav, Vijay Kumar Asthana

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Dharm Trivedi, the learned counsel for the applicant as well as Sri Gyanendra 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. 513 of 2021, under Sections 419, 420, 467, 468, 471 I.P.C., registered at Police Station Gola, District Lakhimpur Kheri.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 22.09.2021 against Mohd. Aslam alleging that the named accused persons had purchased the informant's property through a sale deed dated 16.04.2018 executed by some imposter.
4. The applicant has been implicated in the present case as during investigation it came to light that his photograph was affixed on the sale deed in place of photograph of the seller.
5. The learned counsel for the applicant has submitted that a person who had executed the sale deed namely, Mohd. Aslam has already been granted bail by means of an order dated 21.07.2022 passed by a coordinate bench of this Court in Criminal Misc. Bail Application No.8064 of 2022.
6. The State has filed a counter affidavit opposing the bail application but the learned A.G.A could not dispute the fact that the executant of the sale deed and beneficiary thereof, both have already been granted bail.
7. Having considered the aforesaid facts and circumstances of the case and

keeping in view the fact ,coupled with the fact that the applicant has no criminal history and he is languishing in jail since 16.05.2022 and without making any observations which may affect the merits of the case, I am of the view that the applicant is also entitled to be released on bail.

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

9. Let the **applicant- Ajimuddin** 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 :- 29.11.2023
Preeti.