

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7756 of 2022

Applicant :- Dildar Hussain

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

Counsel for Applicant :- Hari Om Rana, Dharm Trivedi

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 Manish Kumar Pandey, the learned A.G.A.-I 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. 457 of 2019, under Section 419, 420, 467, 468, 471, 352, 506, 504 I.P.C., registered at Police Station Mohammadi, District Lakhimpur Kheri.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 19.09.2019 against the applicant and his two sons, alleging that the informant had purchased a two acre land from the applicant but subsequently she came to know that the applicant had already sold away the land to some other person.
4. In the affidavit filed in support of the 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 and a rejoinder affidavit has also been filed on behalf of the applicant.
6. The learned counsel for the applicant has submitted that the land has wrongly been entered in the name of Gram Samaj but by means of an order dated 12.11.2021 passed by the Consolidation Officer, the aforesaid error has been corrected and the land in question has been recorded in the applicant's name.
7. Having considered the aforesaid facts and circumstances of the case 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- Dildar Hussain** 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 :- 21.11.2023

Preeti.