Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7849 of 2023

Applicant :- Ravindra Jaiswal
Opposite Party :- State Of U.P Thru. Prin. Secy. Home Civil Sectt. Lko
Counsel for Applicant :- Arvind Kumar,Shivendra Pratap Singh
Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Arvind Kumar, learned counsel for the applicant, Sri Rakesh Kumar Singh, the learned counsel for the respondent and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No..145 of 2023, under Sections 420, 406, 467, 468, 471, 109 I.P.C., registered at Police Station Kotwali Nagar, District Barabanki.

3.The aforesaid case has been registered on the basis of an F.I.R. lodged on 04.02.2023 against one person, other than the applicant, stating that the informant had purchased a plot of land from M/s Singla Developers through a sale-deed dated 13.12.2019 but possession of the plot was not delivered to him.

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. The applicant's involvement in 2 other cases has been explained in para 3 of the supplementary affidavit filed on his behalf. It has also been submitted that the co-accused Smt. Manju Singhla has already been enlarged on bail by this court by means of an order dated 04.10.2023, passed in Criminal Misc. Bail Application No.11830 of 2023.

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

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the informant had purchased the land through a sale-deed dated 13.12.2019 and grievance of the informant is that he was not handed over possession of the land and the FIR has been lodged more than 3 years after execution of the sale-deed and prima facie it appears

that the informant has not initiated any proceedings for recovery of possession of the land; that the applicant is not named in the FIR and there is no allegation against her; that the applicant is languishing in jail since 10.04.2023 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.

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

8. Let the **applicant-Ravindra Jaiswal** be released on bail in Case Crime No.145 of 2023, under Sections 420, 406, 467, 468, 471, 109 I.P.C., registered at 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.

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(Subhash Vidyarthi, J.)

Order Date :- 28.10.2023
Ram.

Digitally signed by :-
RAM SINGH
High Court of Judicature at Allahabad,
Lucknow Bench