

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7641 of 2023

Applicant :- Mukesh Kumar Yadav

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

Counsel for Applicant :- Syed Mohd Mahmood Hasan, Vivek Chandra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Vivek Chandra, learned counsel for the applicant, the 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 Case Crime No. 502 of 2022, under Sections 419, 420, 467, 468, 471, 34 I.P.C., registered at Police Station Safdarganj, District Barabanki.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 08.11.2022 against two named accused persons, including the applicant and an unknown person, alleging that a sale deed in respect of the property of informant was executed by some imposter and the named accused persons had witnessed the execution of the sale deed.
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. In para 9 of the affidavit, the involvement of the applicant in nine other cases has been disclosed and in six of which the applicant has already been enlarged on bail. It has also been submitted that the co-accused Dharmendra Singh alias Sonu and Kuldeep Yadav has already been enlarged on bail by this court by means of orders dated 12.07.2023 and 18.07.2023, passed in Criminal Misc. Bail Application Nos. 8739 of 2023 and 9030 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 applicant is not the executant of the sale deed or the beneficiary thereof nor a witness to its execution; that the co-accused Kuldeep Yadav has

already been enlarged on bail by this court coupled with the fact that the applicant is languishing in jail since 09.10.2022 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-***Mukesh Kumar Yadav*** be released on bail in Case Crime No. 502 of 2022, under Sections 419, 420, 467, 468, 471, 34 I.P.C., registered at Police Station Safdarganj, 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 :- 26.10.2023

Pradeep/-