

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7764 of 2023

Applicant :- Rajwant Yadav @ Rajwant Rawat

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

Counsel for Applicant :- Nisha Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Ms. Nisha Srivastava, the learned counsel for the applicant, Sri Manoj Kumar Pandey, 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. 1359 of 2022, 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 21.12.2022 against the named co-accused Sanjay Singh Singla alleging that the informant had purchased a plot of land from the named co-accused person through a sale deed dated 28.08.2015, but the possession of the land was not delivered to him. The applicant has been implicated in the present case as he had executed the sale deed acting as a power of attorney holder of the accused persons.

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. A supplementary affidavit has been filed on behalf of the applicant explaining his involvement in ten other cases, in nine of which he has already been granted bail. The another co-accused person Manju Singla, who is said to be the co-proprietor of Singla Developers along with the named co-accused person Sanjay Singh Singla has been granted

bail in the present case by means of an order dated 03.10.2023, passed in Criminal Misc. Bail Application No.11794 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 has merely acted as a power of attorney holder of the proprietor of Singla Developers who had executed sale deed; that the sale deed was executed in the year 2015 and the F.I.R. alleging non-delivery of possession has been lodged in the year 2022 and that the co-proprietor of the seller organization has already been enlarged on bail by this court and the applicant is languishing in jail since 06.06.2022 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-Rajwant Yadav @ Rajwant Rawat** be released on bail in Case Crime No. 1359 of 2022, 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.

Order Date :- 17.10.2023
Ram.