

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 1515 of 2022

Applicant :- Ram Swaroop

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

Counsel for Applicant :- Rajendra Singh Chauhan, Akash Dikshit, Dheeraj
Awasthi

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Akash Dikshit, the learned counsel for the applicant as well as Sri Virendra Kumar the learned Additional Government Advocate-I appearing on behalf of the State and perused the records.

2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No.0036 of 2021, under Sections 419, 420, 467, 468, 471 I.P.C., registered at Police Station Purwa, District Unnao.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 03.02.2021 by the *Peshkar* of Tehsildar Purwa, Unnao under the directions of Tehsildar stating that the applicant had obtained mutation order in his favour on the basis of forged documents.

4. In the affidavit filed in support of the anticipatory bail-application, it has been contended that the applicant is innocent, and he has no criminal history and he has falsely been implicated in the present case.

5. Learned counsel for the applicant has submitted that mutation order, copy whereof has been annexed as annexure-9, does not bear informant's signature and the forgery has been committed by some other person.

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

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant has no criminal history and without making any observations which may affect the outcome of the case, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant.

8. In view of the above, the anticipatory bail application of the applicant is **allowed**. In the event of arrest/ appearance of **applicant-Ram Swaroop** before the learned Trial Court in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness;

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(Subhash Vidyarthi, J.)

Order Date :- 26.10.2023
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