

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12731 of 2022

Applicant :- Tejpal

Opposite Party :- State Of U.P. Through The Principal Secretary Home, Civil Secretary, U.P. Government Lucknow

Counsel for Applicant :- Farooq Ayoob, Archana Rawat

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Smt. Archana Rawat, the learned counsel for the applicant as well as Sri Arpit Kumar, the learned A.G.A. 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. 834 of 2010, under Section 419, 420, 467, 468, 471 I.P.C., registered at Police Station Fatehpur, District Barabanki.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 03.08.2010, stating that the applicant had executed a sale deed in respect of the land belonging to the informant's cousin, who does not have a stable mental condition.
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. A copy of the sale deed in question has been annexed with the affidavit and it has been contended that the sale deed has not been executed by the applicant. The applicant is languishing in jail since 23.09.2023 and the learned counsel for the applicant states that even the charges have not been framed till date.
6. The learned counsel for the applicant has submitted that two co-accused persons, namely, Natha and Suresh, have already been granted bail and copies of their bail orders have been annexed as Annexure No. 5 to the affidavit filed in support of the bail application.

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

8. 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 applicant is also entitled to be released on bail.

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

10. Let the **applicant- Tejpal** 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 :- 16.11.2023
Preeti.