

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12208 of 2023

Applicant :- Pradeep Yadav

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, U.P. Govt. Lucknow

Counsel for Applicant :- Vimlesh Kumar Yadav, Amit Bhardwaj, Sudhaker Prakash

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Sudhaker Prakash, learned counsel for the applicant, Sri Anurag Verma, 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. 275 of 2023, under Sections 419, 420, 467, 468, 471, 120B I.P.C., registered at Police Station Gosainganj, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 30.06.2023 against five persons, including the applicant, alleging that a sale deed in respect of informant's land has been executed on 23.05.2022 by putting up some imposter in her place.
4. In the affidavit filed in support of 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. Learned counsel for the applicant has submitted that the applicant is neither executor of the sale deed nor the beneficiary of its execution nor has he witnessed the execution of the sale-deed.
6. The learned A.G.A. has opposed the prayer for bail and he has produced a copy of the relevant extract of case diary for perusal of the Court, which shows that co-accused, Amrendra Singh has stated that the land in question was sold to the purchaser with the help of the applicant.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is neither the executant of the sale-deed, nor a witness of its execution nor the beneficiary thereof; that the applicant has no previous criminal history and he is languishing in jail since 17.09.2023 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.

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

9. Let the **applicant**-Pradeep Yadav be released on bail in the aforementioned case 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.

(Subhash Vidyarthi, J.)

Order Date :- 13.10.2023
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