

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12242 of 2023

Applicant :- Mannalal

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

Counsel for Applicant :- Vivek Chandra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Vivek Chandra, the learned counsel for the applicant as well as Sri Gyanendra Singh, 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. 18 of 2022, under Section 418, 420, 504, 406 I.P.C., registered at Police Station Badosarayan, District Barabanki.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 14.01.2022 against nine persons, including the applicant, alleging that the applicant had entered into an agreement dated 11.11.2020 to sell his land in favour of the informant and in breach of the conditions of the agreement, he sold away his land to other persons.
4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent and he has been falsely implicated in the present case.
5. The applicant's involvement in three other cases has been disclosed in para 15 of the affidavit filed in support of the bail application, in one of which the applicant has already been granted bail.
6. The learned counsel for the applicant has submitted that co-accused Vinod Kumar, has already been granted bail in the present case by means of an order dated 19.09.2023 passed by this Court in Criminal Misc. Bail Application No.11233 of 2023.
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, what prima facie appears from the allegations levelled in the F.I.R is that the grievance of the informant is regarding breach of agreement regarding sale of the applicant's property, which dispute inherently appears to be of civil nature and that one of the co-accused persons has already been granted bail 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- **Mannalal** 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 :- 13.10.2023

Preeti.