

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12416 of 2023

Applicant :- Manju Singh Singhla

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

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 and Sri Shunak Singh the learned AGA -I for the State and perused the records.

2. The instant application has been filed seeking release of the applicants on bail in Case Crime No.169 of 2023, under Sections 420, 406, 467, 468 471, 447, 427, 120B IPC, Police Station Kotwali Nagar District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 11.02.2023 against 5 persons including the applicant, stating that the applicant had purchased a plot of land from M/s Singla Developers in the year, 2015. It is alleged that when the informant went to the land in question in November, 2020, the boundary wall constructed by him had been removed. It is further stated in the FIR that subsequently informant came to know that the land had been sold to some other person.

4. In the affidavit filed in support of the application, it has been stated that the applicant has been falsely implicated in the present case.

5. The applicant's criminal history of 20 other cases has been disclosed, in 8 of which, the applicant has been granted bail. The applicant has already been granted bail in 8 other cases arising out of similar dispute.

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 land in question was purchased from Singla Developers of which Sanjay Singh Singla is the proprietor, in the year, 2015 and it is stated that in the year, 2020 the informant had got possession of the land and constructed boundary wall thereon; that the FIR alleges that some person had removed boundary wall constructed by the informant but this allegation has not been levelled against the applicant and that the applicant is languishing in jail since 02.12.2022 and without making any

observation, which may affect the merits of the case, I am of the view that the applicant is entitled to be released on bail in the present case.

8. Accordingly, this bail application stands allowed.

9. Let the applicant-Manju Singh Singhla 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 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 :- 18.10.2023
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