

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13021 of 2023

Applicant :- Rajan Pandey

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

Counsel for Applicant :- Anil Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Anil Kumar Mishra, learned counsel for the applicant, Sri Jayant Singh Tomar, learned A.G.A.-I for the State.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.0835 of 2022, under Sections 420, 467, 468, 471, 504, 506 I.P.C., registered at Police Station Kotwali, District Unnao.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 12.10.2022 against four persons, including the applicant in furtherance of an application under Section 156 (3) Cr.P.C. alleging that the co-accused Ashok Kumar Nishad had introduced the informant to co-accused Manoj Shukla and Manoj Shukla had offered that he would get one Deshraj to sell his land to the informant. Accordingly, the informant purchased the land but subsequently it transpired that the sale deed was executed by some imposter. During investigation, it came into light that the applicant set up his brother-in-law Dhunnar as a seller.
4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and he has been falsely implicated in the present case and he has no criminal history. A co-accused Ashok Kumar Nishad has been granted bail by means of order dated 29.8.2023 passed by this Court in Criminal Misc. Bail Application No. 10801 of 2023.
5. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
6. Having considered the aforesaid facts and circumstances of

the case and keeping in view the fact that the only allegation against the applicant is of having set up his brother-in-law and co-accused Virend Kumar have already been granted anticipatory bail and Ashok Kumar Nishad has been granted bail, whereas the applicant is languishing in jail since 19.09.2023 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.

7. Accordingly, this bail application stands allowed.

8. Let the applicant- Rajan Pandey be released on bail in Case Crime No.0835 of 2022, under Sections 420, 467, 468, 471, 504, 506 I.P.C., registered at Police Station Kotwali, District Unnao 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 :- 3.11.2023

Virendra