

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2509 of 2023

Applicant :- Ramnand @ Rama Nand

Opposite Party :- State Of U.P Thru. Prin. Secy. Home Civil
Secrt. Lko. And Another

Counsel for Applicant :- Jaikaran

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Jai Karan, the learned counsel for the applicant, Sri Anant Pratap Singh, the learned AGA for the State and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in Case Crime No. 0522 of 2021, under Sections 419, 420, 406, 504, 506, 427 IPC, Police Station Gurubuxganj, District Raebareli.
3. The aforesaid case has been registered on the basis of an FIR lodged on 12.11.2021 against the applicant and his son Krishnadev, alleging that the informant had paid Rs.7,13,000/- for purchasing a piece of land from the applicant but neither the land was sold nor his money was refunded and the informant came to know that the said land had been mortgaged.
4. In the affidavit filed in support of the application, it has been stated that the applicant is innocent, he has falsely been implicated in the present case and he has no criminal history.
5. The applicant has already filed a suit no. 722 of 2021 against the informant and other persons seeking a perpetual injunction in respect of the property in dispute.
6. It appears that the informant has not initiated any civil proceedings for recovery of money or specific performance of contract, if any.
7. Having considered the aforesaid facts and circumstances of the case and without making any observations which may affect the outcome of the case, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant.

8. In view of the above, the anticipatory bail application of the applicant is allowed. In the event of arrest/ appearance of **applicant-Ramnand @ Rama Nand** before the learned Trial Court in the aforesaid complaint case, he shall be released on anticipatory bail on his furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness.

Order Date :- 7.11.2023

Renu/-