

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13422 of 2023

Applicant :- Rohit Yadav

Opposite Party :- State Of U.P. Thru. Secy. Civil Sectt. Lko

Counsel for Applicant :- P.C.Maurya

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri P.C.Maurya, learned counsel for the applicant, Sri Jayant Singh Tomar, 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.97 of 2023, under Sections 419, 420, 467, 468, 471 I.P.C., registered at Police Station Mohanlal Ganj, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 25.02.2023 against three persons, including the applicant, and some unknown persons, alleging that a forged sale deed dated 07.06.2021 was executed in favour of the co-accused, Sharda Prasad Tiwari in respect of the informant's land and the applicant has witnessed the execution of the sale deed.
4. In the affidavit filed in support of bail application, it has been stated that the applicant is 20 years old innocent person, he has been falsely implicated in the present case and he has no criminal history.
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 applicant was not a beneficiary of execution of the sale-deed and he has been implicated merely because he has witnessed its execution; that the applicant is 20

years old young man; that the applicant has no previous criminal history and he is languishing in jail since 01.10.2023 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**-Rohit Yadav be released on bail in 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 :- 9.11.2023
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