

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13580 of 2023

Applicant :- Pradeep

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

Counsel for Applicant :- Surendra Singh, Brijendra Kumar Verma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Surendra Singh, the learned counsel for the applicant, Sri Shaunak Singh, the learned AGA 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. 200 of 2023, under Sections 419, 420, 467, 468, 471 IPC, Police Station Kotwali Nagar, District Raebareli.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 03.04.2023 against four named persons, including the applicant and an unknown person, alleging that the informant had purchased a plot of land through a sale deed dated 02.07.2022 but it turned out that it had been executed by some imposter. The applicant has been implicated as he was one of the witnesses of 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 having no criminal history.
5. A supplementary affidavit has been filed on behalf of the applicant stating that after investigation, a charge sheet has already been submitted on 20.08.2023. It has further been stated in the supplementary affidavit that the applicant was involved in another case, in which a final report has been submitted by the Investigation Officer.
6. The State has filed a counter affidavit annexing therewith copies of material collected during investigation.
7. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the investigation of the case stands completed, the applicant has been implicated merely because he has witnessed execution of the sale deed and it is not alleged that he has received any benefit out of its execution and the applicant is a young man aged 20 years and he is languishing in jail since 06.07.2023 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 case.

9. Accordingly, this bail application stands ***allowed***.

10. Let the applicant-***Pradeep*** 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.

Order Date :- 19.12.2023

Pradeep/-