

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13871 of 2023

Applicant :- Om Narayan Yadav

Opposite Party :- The State Of U.P. Thru. Addl. Chief Secy. Home

Counsel for Applicant :- Pranshu Agrawal, Alok Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Pranshu Agrawal, learned counsel for the applicant and Sri Satya Prakash Pandey, learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 536 of 2022, under Section 420/406/467/468/471/109 I.P.C., registered at Police Station Kotwali Nagar, District Barabanki.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 04.06.2022 against two named persons, not including the applicant, and 2-4 unknown persons, alleging that the informant had purchased a plot in the year 2013 but he was not delivered possession of the land.
4. The applicant's criminal history of 17 other cases has been explained in Para 52 of the affidavit filed in support of the bail application, in 5 of which he has been granted bail.
5. The co-accused Antim Shukla, Sabhaa Patee Misra, Rajwanti Yadav @ Rajwant Rawat, Siddharth Garg alias Siddarth Nath Garg, Awanish Pandey and Smt. Manju Singh Singhla have already been granted bail by means of orders dated 04.09.2023, 29.05.2023, 05.07.2023, 10.07.2023, 12.10.2023 and 09.11.2023, passed by this Court in Criminal Misc. Bail Application Nos. 4426 of 2023, 5855 of 2023 (Neutral Citation No:-2023AHC-LKO:38259), 2646 of 2023 (Neutral Citation No:-2023AHC-LKO:43124), 1790 of 2023 (Neutral Citation No :-2023:AHC-LKO:44383), 12180 of 2023 and 13400 of 2023.
6. The learned A.G.A. has opposed the prayer of the 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 grievance of the informant appears to be against a company and the applicant was neither a director nor other principal position holder in the company and five co-accused persons have already been granted bail and that the applicant is languishing in jail since 06.04.2023 and without making any observations which may affect the merits of the case,

8. I am of the view that the applicant is also entitled to be released on bail.

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

10. Let the **applicant-Om Narayan Yadav** 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 the 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.

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(Subhash Vidyarthi, J.)

Order Date :- 23.11.2023

Ram.