

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13876 of 2023

Applicant :- Awanish Pandey

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

Counsel for Applicant :- Virendra Kumar Arya

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Virendra Kumar Arya, the learned counsel for the applicant as well as Sri Satya Prakash Pandey, the 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. 1358 of 2022, under Section 420, 406, 467, 468, 471, 109 I.P.C., registered at Police Station Kotwali City, District Barabanki.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 21.12.2022 against three persons, not including the applicant, stating that the informant had purchase a plot of land from Singhla Developers through co-accused Sanjay Singh Singhla, through a sale deed dated 28.08.2015 but possession of the land was not delivered to the informant.
4. The applicant has been implicated during investigation, as it came to light that he had witnessed execution of the sale deed.
5. The applicant's involvement in 11 other cases has been disclosed in para 21 of the affidavit, in seven of which he has been granted bail.
6. The learned counsel for the applicant has submitted that co-accused Rajwant Yadav @ Rajwant Rawat, who had executed the sale deed on the strength of power of attorney, has already been granted bail by means of an order dated 25.07.2023 passed by this Court in Criminal Misc. Bail Application No. 8140 of 2023.
7. The learned A.G.A. has opposed the prayer of the bail, but he could not

dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and without making any observations which may affect the merits of the case, 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- Awanish Pandey** 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.

(Subhash Vidyarthi,J.)

Order Date :- 23.11.2023

Preeti.