

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14031 of 2023

Applicant :- Dinesh Kumar

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

Counsel for Applicant :- Ravindra Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Ravindra Pandey, learned counsel for the applicant, Sri Arpit Kumar 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.193 of 2022, under Sections 406, 420, 467, 468, 471, 120-B I.P.C., registered at Police Station Hanswar , District Ambedkar Nagar.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 26.10.2022 against nine persons, including the applicant, alleging that a sale deed was executed in favour of the co-accused Sushma Devi by the informant's son fraudulently and the applicant and Basant Lal Soni had witnessed execution of the sale deed.
4. The other witness of execution of sale deed Basant Lal Soni has already been granted anticipatory bail by means of the order dated 17.04.2023 passed by this Court in Criminal Misc Anticipatory Bail Application No.889 of 2023. All the other co-accused persons have also been granted bail in the present case.
5. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent and he has been falsely implicated in the present case. A supplementary affidavit has been filed on behalf of the applicant disclosing his involvement in another case bearing Case Crime No.92 of 2023, under Section 174 IPC which arises out of the present case.
6. The learned A.G.A. has opposed the prayer for bail but he

could not dispute the aforesaid aspects of the matter.

7. Having considered the aforesaid facts and circumstances of the case, as a similarly situated co-accused person has been granted anticipatory bail 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.

8. Accordingly, this bail application stands allowed.

9. Let the applicant-**Dinesh Kumar** 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.

Order Date :- 29.11.2023

Renu/-