

**Court No. - 29**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 14035 of 2023

**Applicant :-** Jaleel Ahmad @ Laddan

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

**Counsel for Applicant :-** Vikas Verma

**Counsel for Opposite Party :-** G.A.

**Hon'ble Mrs. Sadhna Rani (Thakur),J.**

Heard learned Counsel for the applicant, learned A.G.A. and perused the record.

The accused- applicant is involved in Case Crime No. 267 of 2023, under Sections 419, 420, 467, 468, 471 I.P.C., Police Station Kotwali Nagar, District- Balrampur.

It is argued by the learned counsel for the applicant that there is allegation that impersonating the first informant a sale deed was executed by the applicant in favour of co accused Nanke. Rest two co-accused persons Jamuna Prasad and Mohd. Ayyub Khan are said to have acted as witnesses of the sale deed. The applicant was lured by the co accused persons that he would be given an Awas under Pradhan Mantri Yojana, so his Aadhar Card and photograph were taken by the co accused persons who have not paid even a single penny with respect of the alleged sale deed. The applicant was not named in the FIR. His name came into light in the statement of co accused Nanke. The applicant was working as a carpenter in the house of the co accused persons, so the applicant was falsely implicated in the present case in lieu of his due labour charge/wages.

Learned A.G.A. opposed the prayer for bail of the applicant and submitted that the sale consideration of Rs. 5,50,000/- is said to have been transferred in the loan account of the first informant/ Kandhai Lal. It is further argued by the learned A.G.A. that it is not sure whether this Kandhai Lal is the first informant who is said to have executed the alleged sale deed or any other person. There is a gang of the persons who with the help of the present applicant impersonating the first informant Kandhai Lal has executed the forged sale deed in favour of Nanke.

The allegation against the present applicant is of impersonating himself as Kandhai Lal before the Registrar and execute a forged sale deed in favour of Nanke. The rest two co accused persons are the marginal witnesses of the said sale deed.

If we go through the sale deed, admittedly, not even a single penny has been paid to the present applicant rather the whole sale consideration of Rs. 5,50,000/- is said to have transferred by co-accused Nanke in the loan account of the first informant. Nothing has been placed before the court that this amount Rs. 5,50,000/- was not transferred in the loan account of first informant Kandhai Lal. No case regarding cancellation of sale deed is filed by the first informant. There is nothing on record to show that the present applicant received any money for the execution of the sale deed. The case of the applicant is distinguishable from the case of co accused Nanke, Jamuna Prasad and Mohd. Ayyub. The applicant is languishing in jail since 2.9.2023.

Perusing the record, considering the facts and circumstances of the case, the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merit of the case, I find it to be a case of bail.

The bail application is allowed.

Let the applicant Jaleel Ahmad @ Laddan who is involved in aforesaid crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

1. The applicant will attend and co-operate the trial proceedings pending before the court concerned on the dates fixed after release.
2. He will not tamper with the witnesses.
3. He will not indulge in any illegal activities during the bail period.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the trial court shall be at liberty to cancel the bail and send the applicant to prison.

It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the ultimate merits of the case.

**Order Date :- 29.11.2023**

Gss