

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14521 of 2023

Applicant :- Vijay Narayan Singh

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

Counsel for Applicant :- Karunakar Srivastava, Sharad Kumar Verma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Sharad Kumar Verma, learned counsel for the applicant, Sri Virendra 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. 0791 of 2022, under Sections 419, 420, 467, 468, 471 & 120-B I.P.C., registered at Police Station - Gomti Nagar, District- Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 09.12.2022 against five named persons, not including the applicant, stating that co-accused Tara Devi had executed a sale deed on 14.10.2019 in favour of co-accused Neeraj Singh claiming herself to be owner of the property on the strength of a sale deed dated 14.06.2000 executed by the Lucknow Development Authority (hereinafter referred to as "LDA") whereas no such sale deed had been executed by the LDA in favour of Tara Devi.

4. The applicant has been implicated in the present case on the basis of a statement of co-accused Neeraj Singh who stated that the applicant is related to his father and he had introduced Neeraj Singh to Tara Devi. The aforesaid accused however stated that the property in question was being shown in the name of co-accused Tara Devi on the information available on the website of LDA and he had checked the records of the LDA also, wherein the name of Tara Devi was entered

in the records in respect of property in question.

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.

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 and keeping in view the fact that the applicant is not named in the FIR; that he has been implicated by subsequent statement of co-accused person who merely stated that the applicant had introduced him to the seller but the aforesaid accused has also stated that name of the seller was being displayed on the official website of LDA as also in the records of the LDA; that the applicant has no criminal history and he is languishing in jail since 09.10.2023 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 crime.

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

9. Let the **applicant- Vijay Narayan Singh** 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 :- 11.12.2023

Mohit Singh/-