

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14821 of 2023

Applicant :- Satish Kumar Sharma @ Raju

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

Counsel for Applicant :- Upendra Prakash Pathak, Manish Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Upendra Kumar Pathak, learned counsel for the applicant, Sri Sanjay Maurya, the learned AGA for the State and perused the records.

2. The instant application has been filed seeking release of the applicants on bail in Case Crime No.932 of 2022, under Sections 419, 420, 467, 468, 471, 120B IPC, Police Station Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 03.09.2022 against three persons, not including the applicant, stating that a sale deed had been executed by some person in respect of the informant's land in favour of City Doors Infrastructure Private Limited.

The applicant has been implicated on the basis of the statement of one of the named accused person Soni Kumari who has stated that the applicant Raju and Dharmendra Singh had persuaded them to purchase the land and the sale deeds were executed by some imposter.

4. In the affidavit filed in support of bail application, the applicant's involvement in 10 other cases of similar nature has been disclosed, in three of which he has been granted bail. Learned counsel for the applicant has submitted that seven of the cases do not relate to the applicant.

5. Co-accused Dharmendra Kumar alias Sonu has already been granted bail by means of order dated 29.05.2023 passed by this Court in Criminal Misc. Bail Application No. 1157 of 2023.

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 allegation levelled against the applicant are similar to those levelled against co-accused Dharmendra Kumar and Dharmendra Kumar has already been granted bail whereas the applicant is languishing in jail since 20.08.2023 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 case.

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

9. Let the applicant-***Satish Kumar Sharma @ Raju*** 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 :- 16.12.2023

Pradeep/-