

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14689 of 2023

Applicant :- Raju

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

Counsel for Applicant :- Deependra Pratap Singh, Anil Kumar Singh, D.P. Dutt Tiwari, Deepika Gupta, Mayank Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri D.P. Dutt Tiwari, learned counsel for the applicant, Sri Amit Kumar Diwedi, 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. 0225 of 2023, under Sections 420, 467, 468, 471 and 323 I.P.C., registered at Police Station Satrikh, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 09.06.2023 against the applicant and his brother Ramu, in furtherance of an application under Section 156 CrPC stating that the informant's father had died soon after her birth in the year 1994 and her mother had also died in the year 2003. The accused persons and the informant belong to the same family and the accused persons had sold away some land belonging to the informant's father on the basis of fake documents in the year 2012-13. Some land continues to be recorded in the name of informant's father and the accused persons are trying to dispose of the same also.

4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.

5. The learned A.G.A. has opposed the prayer for bail but he

could not dispute the aforesaid aspects of the matter.

6. A copy of the relevant extract of case diary had been annexed with the affidavit filed in support of the application wherein the investigating officer after inspecting the sale deeds had recorded that one of the sale deeds had executed by Ramu son of Mangal and other sale deed had been executed Ram Milan Son of Buddh. None of the sale deed had been executed by the applicant.

7. Having considered the aforesaid facts and circumstances 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-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 :- 13.12.2023

Raj