

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14713 of 2023

Applicant :- Abhimanyu Kumar Singh

Opposite Party :- State Of U.P Thru. Addil, Chief Secy. Home Lko.

Counsel for Applicant :- Pranshu Agrawal, Chandan Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Pranshu Agrawal, the learned counsel for the applicant, Sri Akhilesh Kumar Vyas, the 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. 1193 of 2023, under Sections 420/467/468/471/504/506 I.P.C., registered at Police Station Kotwali, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 07.11.2023 against two named persons, including the applicant describing him as Managing Director, Adarsh Green City and some unknown persons alleging that the informant had purchased a plot in the name of his father through a sale deed dated 08.04.2015 in Adarsh Green City from the applicant. His name was mutated in the revenue records. When the informant had gone to plot purchased by him on 03.11.2023 for laying foundation the accused persons stated that the land did not belong to the informant and he may raise construction on the land purchased by him.

4. 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. The applicant's involvement in two other cases has been disclosed in para 23 of the affidavit and the learned counsel for the applicant submits that the applicant is languishing in jail since 08.11.2023 and the F.I.R. was lodged afterwards.

5. The learned A.G.A. has opposed the prayer for bail and he has submitted that the applicant is involved in two more cases but those also relate to the year 2023.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the land in question had been purchased by the informant's father through a sale deed dated 08.04.2015 and mutation of the purchaser's name had also been carried out; that the dispute appears to be regarding identity of the land purchased by the informant and apparently no proceedings for demarcation of informant's land have been initiated and the applicant is languishing in jail since 08.11.2023 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.

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

8. Let the **applicant-Abhimanyu Kumar 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.

(Subhash Vidyarthi, J.)

Order Date :- 16.12.2023

Ram.