Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14747 of 2023

Applicant :- Om Narayan Yadav
Opposite Party :- State Of U.P. Thru. Addl. Chief Sect. Home Lko.
Counsel for Applicant :- Gaurav Singh,Alok Sharma,Pranshu Agrawal
Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Pranshu Agrawal, learned counsel for the applicant and Sri Gyanendra Singh, learned A.G.A. for the State and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.1357 of 2022, under Section 420/406/467/468/471/109 I.P.C., registered at Police Station Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 21.12.2022 against one named person, not including the applicant alleging that the informant had purchased a plot in the year 2015 but he was not delivered possession of the land. The applicant has been implicated subsequently during investigation as he had witnessed the execution of the sale deed.

4. The applicant's criminal history of 17 other cases has been explained in para 27 of the affidavit filed in support of the bail application, in 8 of which he has been granted bail.

5. It has also been submitted on behalf of the applicant that the co-accused Manju Singla, Rajwant Yadav and Awanish Pandey have already been enlarged on bail by this court.

6. The learned A.G.A. has opposed the prayer of the 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 grievance of the informant appears to be against a company and the applicant was neither a director nor other principal position holder in the company and three co-accused persons have already been granted bail and that the applicant is languishing in jail since

06.04.2023 and without making any observations which may affect the merits of the case,

8. I am of the view that the applicant is also entitled to be released on bail.

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

10. Let the **applicant-Om Narayan Yadav** 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 the 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.

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(Subhash Vidyarthi, J.)

Order Date :- 16.12.2023
Ram.

Digitally signed by :-
RAM SINGH
High Court of Judicature at Allahabad,
Lucknow Bench