

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 14722 of 2023

**Applicant :-** Dharmendra Dixit @ Bachola

**Opposite Party :-** State Of U.P. Thru. Addl. Chief Secy. Deptt. Home Lko.

**Counsel for Applicant :-** Gulam Mustafa

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi,J.**

1. Heard Sri Gulam Mustafa, the learned counsel for the applicant, Sri Abhishek Kumar Singh, the learned counsel 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. 80 of 2022, under Sections 419, 420, 467, 468, 471 I.P.C., registered at Police Station Bihar, District Unnao.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 29.05.2022 against three persons, not including the applicant, alleging that the co-accused Ram Asre purchased the informant's land by putting up some imposter and getting the sale deed executed by him on 01.02.2022 and the other two persons had witnessed the execution of the sale deed.
4. In the statement of the informant recorded under Section 161 Cr.P.C. he reiterated the F.I.R. version but in his additional statement he has stated that the applicant was also involved in sale of his land.
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. The applicant's criminal history of 3 other case has been disclosed in the affidavit, in one of which he has been granted bail. It has also been submitted on behalf of the applicant that the co-accused Chandu Lal has already been enlarged on bail by this court by means of an order dated 15.09.2023, passed in Criminal Misc. Bail Application No.9404 of 2022.
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 F.I.R., he is neither the executant nor beneficiary nor witness of the execution of the sale deed and he is not named even in the statement of the informant recorded under Section 161 Cr.P.C. and he is languishing in jail since 07.10.2023 and the co-accused Chandu Lal has already been granted bail by this court 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- Dharmendra Dixit @ Bachola** 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.

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**(Subhash Vidyarthi, J.)**

**Order Date :- 16.12.2023**

Ram.