

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14922 of 2023

Applicant :- Ram Sigar

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

Counsel for Applicant :- Dinesh Kumar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Dinesh Kumar Shukla, the learned counsel for the applicant as well as Smt. Anupriya Jaiswal, the learned State Counsel and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 252 of 2022, under Section 419, 420, 467, 468, 471, 120-B I.P.C., registered at Police Station Kotwali Nagar, District Gonda.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 22.04.2022 against three named persons, not including the applicant, stating that some imposter had executed an agreement to sell dated 20.02.2019 in favour of the informant's land.

4. On the basis of similar allegations, an F.I.R No. 719 of 2020 lodged on 19.09.2020 by the son of the person in whose favour the agreement has been executed. In that case the applicant had been granted bail by means of an order dated 25.08.2021 passed by this court in Criminal Misc. Bail Application No.1161 of 2021.

5. Although, the applicant's name had surfaced in that other case, regarding the same offence and he has been granted bail in that case, the applicant has not been named as an accused in the

present case.

6. The learned counsel for the applicant has submitted that two co-accused persons, namely, Ratnesh Kumar Dwivedi and Harishchandra tiwari, have already been granted bail in the present case.

7. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant has been granted bail in another case regarding the same offence and that two co-accused persons have already been granted bail and without making any observations which may affect the merits of the case, 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- Ram Sigar** 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.

(Subhash Vidyarthi,J.)

Order Date :- 22.12.2023

Preeti.