

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14800 of 2023

Applicant :- Mangal

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

Counsel for Applicant :- Rishabh Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Rishabh Srivastava, the learned counsel for the applicant, Sri Anant Pratap Singh, 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. 0472 of 2022, under Sections 419, 420, 467, 468, 471, 504, 506 I.P.C., registered at Police Station Kotwali Nagar, District Gonda.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 25.07.2022 against seven persons, including the applicant alleging that a sale deed had been executed in respect of the informant's land by the applicant acting as an imposter in his place.
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. The statements of some independent witnesses have been recorded by the Investigating Officer who have stated that one Vinod Kumar Mishra is an Advocate, the applicant is domestic servant and Vinod Kumar Mishra had taken the applicant and got a sale deed executed by him. They stated that the applicant is an illiterate villager and the offence has been committed by

the Advocate who has employed the applicant.

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

6. Having considered the aforesaid peculiar facts and circumstances of the case and keeping in view the fact that the applicant has no previous criminal history and he is languishing in jail since 11.03.2023 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-Mangal** 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 :- 15.12.2023
Ram.