

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15004 of 2023

Applicant :- Ramu

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

Counsel for Applicant :- Anurag Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Anurag Singh, the learned counsel for the applicant, Sri Jayant Singh Tomar, the learned AGA-I 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. 225 of 2023, under Sections 420, 467, 468, 471, 323 IPC, Police Station Satrikh, District Barabanki

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 09.06.2023 against the applicant and his brother Raju, alleging that the accused persons have got a fake aadhaar card of the informant's brother prepared whereas the whereabouts of informant's brother are not known for the past 20 years and on the basis of the fake aadhaar card the accused persons are trying to grab the land of the informant's deceased father.

4. The FIR states that the accused persons had sold away some land of the informant's father in the year 2012-13.

5. 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.

6. The learned counsel for the applicant has submitted that the informant has not lodged any report regarding her having gone missing 20 years ago. The sale deed in question was executed in the year 2012-13 whereas the FIR has been lodged in the year 2023. Besides lodging of the FIR, no proceedings have been initiated for cancellation of the sale deed or otherwise challenging its validity.

7. The other co-accused Raju has already been granted bail by means of order dated 13.12.2023. A copy of the statement of the

purchaser has been annexed with the affidavit wherein she stated that she is in possession of the land since its purchase in the year 2012-13.

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

9. Having considered the aforesaid facts and circumstances of the case 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 case.

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

11. Let the applicant-***Ramu*** 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.

Order Date :- 21.12.2023

Pradeep/-