

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 14959 of 2023

**Applicant :-** Anil Kumar Das

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

**Counsel for Applicant :-** Radhey Shyam Tiwari

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

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

1. Heard Sri Akhilesh Pandey, Advocate holding brief of Sri Radhey Shyam Tiwari, the learned counsel for the applicant, Sri J.S. Tomar, the learned A.G.A.-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. 257 of 2023, under Sections 406, 419, 420, 467, 468, 471, 120-B I.P.C., registered at Police Station Kotwali Ayodhya, District Faizabad/Ayodhya.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 02.05.2023 against five persons, including the applicant and an unknown person stating that the applicant and three other accused persons had shown a land to the informant and the informant and his sister purchased the land through two sale deeds dated 03.03.2021. Later on it transpired that the sale deeds had been executed by some imposters and the true owner of the land has filed a suit for cancellation of sale deed. The F.I.R. further states that the co-accused Ram Singh had given four cheques towards the refund of the sale consideration but the cheques were returned by the bank unpaid.
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.

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 facts and circumstances of the case and keeping in view the fact that the only allegation against the applicant is of being involved with other persons in showing the land to the informant; that the co-accused Ram Singh has already given cheques to the informant towards refund of the sale consideration; that it appears that after dishonor of the cheques no complaint case under Section 138 Negotiable Instruments Act has been filed; that the applicant has no previous criminal history and he is languishing in jail since 01.10.2023 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-Anil Kumar Das** 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 :- 20.12.2023**

**Ram.**