

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14975 of 2023

Applicant :- Sri Krishna

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

Counsel for Applicant :- Anand Dubey,Amit Srivastava,Km. Saumya Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Anand Dubey, learned counsel for the applicant, Sri Virendra Kumar, 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.617 of 2021, under Sections 419, 420, 467, 468, 471 I.P.C., registered at Police Station Gomti Nagar, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 03.09.2021 against three persons, including the applicant, describing him as a retired Clerk of Lucknow Development Authority, stating that Plot No.1/69 Sector C, Priyadarshini Yojana had been allotted by the LDA to a person yet a sale deed had been executed in respect thereof by co-accused person. The FIR states that mutation was carried out in the computer system of LDA by using the ID of the applicant on 05.03.2020.
4. In the affidavit filed in support of bail application, it has been stated that the applicant is 63 years old 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 applicant has been implicated merely because mutation was carried out using his ID and

the applicant claims that his ID has been misused by some other person; that the applicant has already retired from service; that the applicant has already been granted bail in another case of similar nature 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**-Sri Krishna be released on bail in aforementioned 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 :- 19.12.2023
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