

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14994 of 2023

Applicant :- Surya Prakash Dixit

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

Counsel for Applicant :- Ashutosh Pathak, Rakesh Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Ashutosh Pathak, the learned counsel for the applicant, Sri Rakesh Kumar 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. 431 of 2023, under Sections 420, 467, 468, 471 I.P.C., registered at Police Station Mauranwa, District Unnao.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 23.08.2023 against five persons, including the applicant stating that the informant's father Hari Ram Dixit had died on 27.01.1993 and his wife also died issue less on 26.03.2014. The applicant who belongs to same family, set up co-accused Hari Ram Shukla as an imposter in place of Hari Ram Dixit and executed a sale deed in respect of his property.

4. In the affidavit filed in support of bail application it has been stated that the applicant is a 74 years old innocent person, he has been falsely implicated in the present case and he has no criminal history. It has further been stated that Hari Ram and his wife had executed their last will in favour the applicant on 24.06.1974 and therefore the applicant had no occasion to get a

sale deed of the land which had been bequeathed in his favour through some imposter.

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 applicant is a 74 years old person having no previous criminal history and he is languishing in jail since 20.11.2023 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- Surya Prakash Dixit** 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 :- 19.12.2023
Ram.