

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15222 of 2023

Applicant :- Sadiq Ali

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

Counsel for Applicant :- Utkarsh Misra, Ayush Kumar Verma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Utkarsh Misra, the learned counsel for the applicant as well as Sri Jayant Singh Tomar, the learned A.G.A.-I for the State and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.675 of 2023, under Section 419, 420, 467, 468, 471 I.P.C., registered at Police Station Kotwali Nagar, District Gonda.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 07.08.2023 against three persons, including the applicant, stating that the applicant had obtained a sale deed in his favour in respect of the informant's land by setting up some imposter in his place.

4. In the affidavit filed in support of the 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. It has further been stated in the affidavit that the applicant is a bonafide purchaser for value and after it came to light that the sale deed had been imposed by some imposter the applicant returned the sale consideration, in lieu of which he was given two cheques of Rs. 1,50,000/- each, copies whereof have been annexed with the affidavit and the cheques have been returned

by the a bank unpaid for the reason of insufficiency fund.

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

7. Having considered the aforesaid facts and circumstances of the case and without making any observations 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.

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

9. Let the **applicant- Sadiq Ali** 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 the 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 :- 21.12.2023

Preeti.