

Court No. - 15

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S
438 CR.P.C. No. - 2415 of 2024

Applicant :- Monu Singh

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

Counsel for Applicant :- Dinesh Kumar Shukla

Counsel for Opposite Party :- G.A., Akhand Pratap Singh Bise

Hon'ble Shree Prakash Singh, J.

Heard learned counsel for the applicant, Sri Akhand Pratap Singh Bisen, learned counsel for the informant, learned AGA for the State and perused the record.

The instant anticipatory bail application has been filed on behalf of the applicant with the prayer to release him on anticipatory bail in Case Crime No. 398 of 2018, under sections 419, 420, 504 & 506 of the IPC, Police Station-Colonelganj, District-Gonda.

It has been contended by the learned counsel for the applicant is innocent and has falsely been implicated. He added that the chargesheet has been filed and the applicant under the drunken position, has executed the sale deed and infact the applicant has not committed any offence, rather the informant, Hari Prasad, deliberately has got executed sale deed in his favour by the applicant. He next added that the applicant has also moved an application under section 156(3) of the Cr.P.C. He submits that the chargesheet has been filed and the applicant has cooperated in the investigation proceedings and he has explained four cases criminal history. He submits that there is an acute apprehension that the police will arrest the applicant and as such, he may be enlarged on anticipatory bail.

Per contra, Sri Akhand Pratap Singh Bisen, learned counsel for the informant and learned A.G.A. appearing for the State, have opposed the contentions aforesaid and submitted that the applicant is not entitled for anticipatory bail as he deliberately sold out the land, which was earlier sold out by him and thus, he has committed cheat and fraud.

Having heard the learned counsels for the parties and after perusal of material placed on record, it transpires that the admitted fact is that the land in question, which was earlier sold out by the applicant, has again been sold out by him in the name of the informant. Thus, it is a clear cut case of fraud and such frauds are class apart.

Learned counsel for the applicant has failed to satisfactorily substantiate that the applicant would not tamper the evidences and would not threaten the witnesses. Apprehension of arrest has also been denied.

Considering the complicity of the accused-applicant and looking into the gravity of nature of offence, this court does not find any good ground to intervene in this matter. The anticipatory bail application of the applicant, **Monu Singh**, is hereby **rejected**.

Order Date :- 19.12.2024

AKS