2026:AHC:208488

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 35485 of 2026

Vijay Pratap Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Anand Kumar Shukla, Lok Nath Shukla, Prem Shankar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Sri Prem Shankar, learned counsel for accused applicant hands up supplementary affidavit, the same is taken on record.

1A. Heard Sri Shankar, learned counsel for accused applicant, Sri Manish Goyal, learned Additional Advocate General assisted by Sri Pankaj Saxena, learned AGA-1 and Sri Patanjali Mishra, learned Government Advocate for State.

2. The present bail application has been moved by the applicant accused-**Vijay Pratap Singh** to enlarge him on bail in Case Crime No. 144 of 2014, under Sections 419, 420, 467, 468, 471 IPC, P.S.- Chiluatal, District- Gorakhpur, during the pendency of trial.

3. It is the contention of learned counsel for applicant that the accused applicant has been falsely implicated in FIR dated 02.06.2014 lodged by one Ram Nagina Singh against one Rahul Sharraf and others with the allegation that Rahul Sharraf has purchased a land belonging to the Ram Nagina Singh through imposter. It is alleged in the FIR that the property which is sold to Rahul Sharraf, was already sold to Gorakhnath Chikitsalaya in the year 2008. Later on, when it is found that the land was transferred through impersonation, the sale deed got cancelled at the instance of purchaser Rahul Sharraf. He has stated that witnesses namely Shailendra and Vijay Pratap Singh (applicant) were instrumental in getting the sale deed executed through impersonation. Further submits that from 2014 till 2026 the investigation is continuing, although the

accused was in jail from 2019 to 2021 in other cases and not absconding. The applicant has lastly being taken to custody on 24.08.2026 and the charge sheet is submitted on 09.09.2026. Rahul Sharraf in his statement has stated that the accused applicant and another witness Shailendra had accepted the consideration amount. It is further contended that Rahul Sharraf has not been charge sheeted. The property which was subjected to sale deed, was already in favour of Gorakhnath Chikitsalaya as the sale deed was cancelled. Further submits that except the statement, there is nothing on record to show that the consideration amount has been transferred to the account of accused applicant. Moreover, Rahul Sharraf, who is purchaser of the property, has alleged that he transferred the consideration amount to the witnesses, which itself shows the complicity of the purchaser Rahul Sharraf, though he has not been charge sheeted. The applicant has criminal history of seven cases wherein he is on bail. The trial is still to commence. The accused applicant is languishing in jail since 22.08.2026. He seeks enlargement of accused on bail. The co-accused Shailendra has already been granted bail.

4. Learned Additional Advocate General and Learned Government Advocate for State have opposed the bail application and submits that the accused applicant is instrumental in executing the sale deed and knows about sale of property which was already sold in favour of Gorakhnath Chikitsalaya. The applicant has accepted the consideration amount and got registered the sale deed in favour of Rahul Sharraf through impersonation. Hence, the bail application be rejected.

5. This Court has taken into consideration the rival submissions made by learned counsel for the parties and perused the record.

6. Considering the role of accused applicant that he is a marginal witness to a sale deed to whom there is no point of transferring the consideration amount, the co-accused has already been granted bail, the accused/applicant is entitled to be released on bail.

7. Hence, without touching merit of the case, the bail application is **allowed**.

8. The accused/applicant 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 court concerned in view of observation made by the Supreme Court in its dictums of **Girish Gandhi Vs. State of Uttar Pradesh [(2024) 10 SCC 674] and Policy Strategy for grant of bail in re [(2024)10SCC 685].**

9. The accused-applicant shall cooperate in judicial process for fair and speedy disposal.

(Avnish Saxena,J.)

October 6, 2026
Sharad/-

Digitally signed by :-
SHARAD KUMAR SRIVASTAVA
High Court of Judicature at Allahabad