

Court No. - 71

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 9195 of 2023

Applicant :- Smt. Geeta @ Pinki

Opposite Party :- State of U.P.

Counsel for Applicant :- Onkar Nath

Counsel for Opposite Party :- G.A.

Hon'ble Shekhar Kumar Yadav,J.

1. Heard Mr. Onkar Nath, learned counsel for the applicant and learned Additional Government Advocate for the State.

2. This anticipatory bail application (under section 438 Cr.P.C.) has been moved seeking bail in Case Crime No.63 of 2015, under Sections 419, 420, 467, 468 IPC, Police Station Nayagaon, District Etah.

3. Learned counsel for the applicant submits that this is the second anticipatory bail application of the applicant. The first anticipatory bail application was rejected by a coordinate Bench of this Court vide order dated 04.04.2023 passed in Criminal Misc. Anticipatory Bail Application No.359 of 2023. He further submits that the first informant has moved several complaint against the applicant before the higher authority stating therein that Pinki and Geeta are different lady so the appointment of the applicant may be cancelled. He further submits that there are two new grounds. The first ground is that the applicant are three sisters and her father and her sisters have also filed an affidavit before the authority concerned stating therein that Pinki @ Geeta and Rinki are real sister. The second ground is that the applicant is also continuously appearing before the court below through her counsel.

4. Per contra, learned AGA opposed the prayer and has submitted that there is no new ground involved in the instant application. The contention made by learned counsel for the applicant has already been raised in the first anticipatory bail application.

5. Considering the facts and circumstances of the case, the present anticipatory bail application is **dismissed**. However, it is provided that in case the applicant appears and applies for bail, the same shall be heard and decided, expeditiously, in accordance with law.

Order Date :- 28.10.2023

Ajeet