

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44185 of 2023

Applicant :- Urmila Devi And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Narendra Kumar
Chaubey, Devendra Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard learned counsel for the applicants, learned A.G.A for the State and perused the record.

2. The instant bail application, under Section 439 Cr.P.C of the Code of Criminal Procedure, 1973, has been filed with a prayer to enlarge the applicants on bail in Case Crime No. 85 of 2023, under Sections 420, 467, 468, 471 I.P.C, Police Station- Phoolpur, District Prayagraj, during the pendency of trial.

3. Counsel for the applicants submitted that the applicant are a ladies, who have been falsely implicated in the instant case. The applicants are bona-fidely purchaser, they have no criminal history to their credit. It is next contended that the co-accused **Suryabali**, having identical role, has been granted bail by this Court in **Criminal Misc. Bail Application No. 44062 of 2023** vide order dated 28.10.2023. Copy of the bail order provided by the learned counsel for the applicant is taken on record. The applicants claim parity. Learned counsel for the applicants has lastly contended that the applicants are in jail since 26.07.2023. In case, they are enlarged on bail, they will not misuse the said liberty.

4. The prosecution has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having regard to the submissions made but without commenting on merits of the case, I am of the opinion that the applicants are entitled to be enlarged on bail.

6. Let the applicants - **Urmila Devi** and **Rekha Kumari**, involved in the aforesaid case crime be released on bail on their furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that they:

- (i) shall appear on the date fixed by the trial court;
- (ii) shall not tamper with the prosecution evidence;
- (iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 3.11.2023

Vinod.