

Court No. - 72

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 11551 of 2023

Applicant :- Smt. Ranjana Srivastava

Opposite Party :- State of U.P.

Counsel for Applicant :- Yadavendra Dwivedi, Deepak Kumar
Dubey

Counsel for Opposite Party :- G.A.

Hon'ble Krishan Pahal, J.

1. List has been revised.
2. Heard Sri Yadavendra Dwivedi, learned counsel for the applicant as well as Sri V.K.S. Parmar, learned A.G.A. for the State and also perused the record.
3. The present anticipatory bail application has been filed on behalf of the applicant in F.I.R./Case Crime No. 475 of 2009, under Sections 419, 420, 467, 468, 471, 506, 120-B of IPC, Police Station Civil Lines, District Prayagraj, with a prayer to enlarge her on anticipatory bail.
4. As per prosecution story, the applicant and other co-accused persons were the employees of M/s Orex Auto Infrastructure Services Limited and, as such, had issued a loan on the basis of fake documents on the truck no. UP60 H 9004. After verification, it was found that the said documents were fake.
5. Learned counsel for the applicant has stated that the applicant is a lady and was simply a peon in the said company. She is maliciously being prosecuted in the present case due to ulterior motive and has apprehension of his arrest. She has nothing to do with the said issuance of NOC or verification certificate. The applicant had even deposited the amount due with the company, as such, nothing remains in the matter.
6. Several other submissions have been made on behalf of the applicant to demonstrate the falsity of the allegations made against her. The circumstances which, as per counsel, led to the false implication of the applicant have also been touched upon at length. It is further submitted that the applicant has no criminal history. In

case, the anticipatory bail application of the applicant is allowed, she will not misuse the liberty and shall cooperate with trial.

7. On the other hand, learned A.G.A. has vehemently opposed the prayer for grant of anticipatory bail on the ground that the applicant having filed a petition u/s 482 Cr.P.C. No. 15302 of 2020 which was disposed of vide order dated 10.12.2020 itself. Learned AGA has placed much reliance upon the judgement of this Court passed in *Shivam Vs. State of U.P. and Another*, reported in *AIROnline 2021 All 484* and pointed out the relevant para-43 of the said judgement. He has further stated that the matter is of the year 2009 and the trial has not proceeded due to dilly dallying tactics of the applicant.

8. Considering the rival submissions advanced by the learned counsel for the parties, material on record and also the fact of the case that the applicant has filed a petition u/s 482 Cr.P.C. and failed coupled with the judgement of this Court passed in *Shivam (supra)*, I do not find it a fit case for granting anticipatory bail to the applicant.

9. In view of the above, the present anticipatory bail application is found devoid of merits and is, accordingly, **dismissed**.

(Justice Krishan Pahal)

Order Date :- 30.10.2023

Siddhant