

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46198 of 2023

Applicant :- Praveen

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Vivek Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. From perusal of the record it transpires that the period since the applicant is in jail has wrongly been mentioned as "11.09.2023" in place of "13.09.2023" for which learned counsel for the applicant prays for and is permitted to correct the same in the petition during the course of the day.

2. Heard Sri C.K. Parekh, learned senior counsel assisted by Sri Vivek Mishra, learned counsel for the applicant, learned AGA for the State and perused the record.

3. By means of this bail application, applicant seeks bail in Case Crime No.702 of 2023, under Sections 147, 148, 149, 323, 504, 506, 332, 333, 353, 307 IPC, Police Station Banda, District Shahjahanpur, during the pendency of trial.

4. It is submitted by learned counsel for the applicant that the applicant is innocent and has falsely been implicated in the present case. It is also contended that the applicant is not named in the FIR. His name has come into picture during the course of investigation in the statement of the co-accused persons. It is further contended that the applicant is a *pardanasheen* lady and she has not committed any offence as alleged. It is further contended that there is no criminal history against the applicant. There is no likelihood of her abscondence or tampering with the evidence. The applicant is languishing in jail since 13.09.2023. In case the applicant is released on bail, she will not misuse the said liberty.

5. The prayer for bail has been vehemently opposed by learned AGA. However, the aforesaid factual aspects could not be disputed.

6. Considering the fact, circumstances and the submissions made but without commenting on the merits of the case, this Court is of the view that the applicant has made out a case for

grant of bail. Accordingly, the bail application is allowed.

7. Let the applicant - **Praveen**, involved in the aforesaid case crime be released on bail on her furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that she:

(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.

8. 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 :- 8.11.2023

Shahroz