

Court No. - 72

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 12048 of 2023

Applicant :- Akanksha

Opposite Party :- State of U.P.

Counsel for Applicant :- Dewarshi Kumar Rai, Antim Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Krishan Pahal, J.

1. List has been revised.
2. Heard Sri Dewarshi Kumar Rai, learned counsel for applicant as well as Sri V.K.S. Parmar, learned A.G.A. for State and also perused the material available on record.
3. The present application for anticipatory bail has been filed for protection in regard to FIR/Case Crime No. 134 of 2017, under Sections 419, 420, 467, 468, 471, 406, 310 I.P.C. and 66 I.T. Act, P.S.- George Town, District- Prayagraj.
4. The FIR was instituted by the informant, who happens to be the retired Professor from Hindi department of Allahabad University alleging that one Ritu Kapoor, Rahul Kashyap, Rajeev Shukla, in collusion with several brokers of the company, had duped her of Rs. 70 lakhs on the pretext that same is being invested as insurance policy and insurance bonds.
5. Learned counsel for the applicant has stated that the applicant has been falsely implicated in the present case. Learned counsel has also stated that the applicant has nothing to do with the said offence. The said amount has been properly and duly deposited in the accounts of the registered companies. The said fact stands verified by the details in C.D. No. 24 of 11.11.2017 filed as Annexure-2 to the affidavit filed with this application. Learned counsel has further stated that the applicant has no criminal history. She is ready to co-operate during investigation and trial as well.
6. Per contra, learned A.G.A. has vehemently opposed the prayer for anticipatory bail on the ground that the applicant had

impersonated herself, as her real name is Akanksha and she had introduced herself to the informant as Ritu Kapoor. This speaks volume of the fraud played by the applicant. Learned A.G.A. has also stated that the trial of the co-accused persons is going on and the applicant has not appeared before the Court concerned for six long years, as such, she is not entitled for anticipatory bail.

7. Considering the rival submissions advanced by the learned counsel for the parties and also the fact of large amount of fraud committed and the applicant having impersonated and caused loss to the hard earned money of the informant, who happens to be Professor in the University, I do not find it a fit case for grant of anticipatory bail to the applicant.

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

(Justice Krishan Pahal)

Order Date :- 2.11.2023

Shalini