

Court No. - 66

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46938 of 2023

Applicant :- Ramadevi

Opposite Party :- State of U.P.

Counsel for Applicant :- Anand Pati Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Ajay Bhanot,J.

By means of the bail application the applicant has prayed to be enlarged on bail in Session Trial No.698 of 2023 arising out of Case Crime No.327 of 2023 at Police Station-Karhal, District-Mainpuri under Sections 147, 148, 149, 326, 120B, 302, 307, 34, 452 IPC and Section 7 of the Criminal Law Amendment Act. The applicant is in jail since 14.09.2023.

The bail application of the applicant was rejected by the learned trial court on 10.10.2023.

The following arguments made by Shri Anand Pati Tiwari, learned counsel on behalf of the applicant, which could not be satisfactorily refuted by Shri Paritosh Kumar Malviya, learned AGA-I from the record, entitle the applicant for grant of bail:

1. The applicant is a lady.
2. The applicant has not been identified as one of the principal offenders who discharged the firearm causing injuries to the injured victim and killing the deceased respectively.

3. The other similarly situated co-accused persons namely, Rakha and Vinita have been enlarged on bail by this Court by orders dated 27.09.2023 and 04.10.2023 in Criminal Misc. Bail Application No.38592 of 2023 and Criminal Misc. Bail Application No.39662 of 2023. The applicant seeks parity in relief granted to the said co-accused persons.

4. The applicant does not have any criminal history apart from this case.

5. The applicant is not a flight risk. The applicant being a law abiding citizen has always cooperated with the investigation and undertakes to cooperate with the court proceedings. There is no possibility of his influencing witnesses, tampering with the evidence or reoffending.

In the light of the preceding discussion and without making any observations on the merits of the case, the bail application is allowed.

Let the applicant- Ramadevi be released on bail in the aforesaid case crime number, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court below. The following conditions be imposed in the interest of justice:-

(i) The applicant will not tamper with the evidence or influence any witness during the trial.

(ii) The applicant will appear before the trial court on the

date fixed, unless personal presence is exempted.

Order Date :- 3.11.2023

Ashish Tripathi