

Court No. - 72

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 48722 of 2023

Applicant :- Neeru @ Neera Rani Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Hemendra Pratap Singh, Anshu Singh

Counsel for Opposite Party :- G.A.

Hon'ble Krishan Pahal, J.

1. List has been revised.
2. Heard Sri Hemendra Pratap Singh, learned counsel for the applicant, Sri Sunil Singh, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No.558 of 2023, under Sections 409 and 420 IPC, Police Station Quarsi, District Aligarh, during the pendency of trial.
4. As per prosecution story, the applicant, who happens to be the cashier in the bank, alongwith other officials is stated to have duped the first informant to the tune of Rs.4 lakhs on the pretext that an FD has been made in her name, later on it was found that the said FD was fake.
5. Learned counsel for the applicant has stated that the applicant is a cashier in the bank and is absolutely innocent and has been falsely implicated in the present case. She has nothing to do with the work of fixed deposit. Her job was to deposit and debit the cash. 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. There is criminal history of nine cases assigned to the applicant, which stands explained as she is not wanted in six cases and has not been charge-sheeted in other cases. The applicant is languishing in jail since 21.06.2023. In case, the applicant is released on bail, she will not misuse the liberty of bail.
6. Learned A.G.A. has vehemently opposed the bail application.
7. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, and without expressing any opinion on the

merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is allowed.

8. Let the applicant- **Neeru @ Neera Rani Singh**, who is involved in aforementioned 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 following conditions. Further, before issuing the release order, the sureties be verified.

(i) The applicant shall not tamper with evidence.

(ii) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against her in accordance with law.

9. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

10. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming her independent opinion based on the testimony of the witnesses.

Order Date :- 23.11.2023

Ravi Kant

(Krishan Pahal, J.)