

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 51034 of 2023

Applicant :- Shahnaaz

Opposite Party :- State of U.P.

Counsel for Applicant :- Mukul Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Heard Sri Mukul Kumar Mishra, learned counsel for the applicant, learned AGA for the State and perused the record.
2. The instant bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No.407 of 2023, under Section 364A IPC, Police Station Nizamabad, District Azamgarh, during the pendency of trial.
3. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated in the present case. The victim has not been kidnapped or abducted. Learned counsel further contends that there is no injury on the person of the victim. The victim has not stated against the applicant though there is confessional statement of the applicant against herself that she participated and conspired with other accused persons and sum of Rs.15,00,000/- may be her share if the same would have been recovered. There is no previous criminal history against the applicant. There is no likelihood of her abscondence or tampering with the evidence. She is in jail since 20.09.2023. In case the applicant is enlarged on bail, she will not misuse the said liberty.
4. Learned AGA has opposed the prayer for bail and submits that the mobile phone of the applicant has been used in demanding the ransom for release of the victim which was contradicted the counsel for the applicant and stated that in this regard no call detail has been produced by the prosecution.
5. Having regard to the facts, circumstances and the submissions made but without commenting on merits of the case, this Court is of opinion that the applicant is entitled to be enlarged on bail. Accordingly, the bail application is allowed.
6. Let the applicant - Shahnaaz, involved in the aforesaid case 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.

7. 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 :- 12.12.2023

Shahroz