

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 49739 of 2023

Applicant :- Mithlesh Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Pragya Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Heard Sri Kumar Beenu Singh, 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. 434 of 2017, under sections 406, 409, 420, 467, 468, 471, 120-B IPC, P.S.Farah, District Mathur., during the pendency of trial.

3. The prosecution story in brief is that the informant Suresh Kumar was working as Supervisor on payment of Rs. 15,500/- per month in Head quarter of Kalptaru Buildtech Corporation Limited, Churmura, Farah. According to informant he has received only Rs. 70,000/- in sixteen months but remaining amount of Rs. 1,78,000/- is not being paid by the company to the applicant.

4. Counsel for the applicant submitted that the applicant has been falsely implicated in the instant case. It is further argued that applicant is not named in the FIR, her name has surfaced only in the charge sheet. The husband of the applicant namely Jai Krishna Singh Rana was the key managerial person in respect of the companies either referred by the police or the complainant but during second wave of covid-19 her husband had died on 16.04.2021. After the death of her husband many false FIRs have been registered against the applicant. It is lastly contended that the applicant is in jail since 15.03.2023, in case, she is enlarged on bail, she will not misuse the said liberty.

5. Learned AGA has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

6. Having regard to the submissions made but without commenting on merits of the case, I am of the opinion that the applicant is

entitled to be enlarged on bail.

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

(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 :- 13.12.2023

RPD