

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 51770 of 2023

Applicant :- Smt. Reeta Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- A Kumar Srivastava, Deepak Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard learned counsel for the applicant, learned AGA for the State and perused the record.

2. By means of this bail application applicant seeks bail in Case Crime No.174 of 2017, under Section 120B IPC, Police Station Farah, District Mathura, during the pendency of trial.

3. Learned counsel for the applicant has argued that earlier the bail application moved on behalf of the applicant in respect of instant case crime has already been allowed by this Court vide order dated 19.09.2023 passed in Criminal Misc. Bail Application No.37920 of 2023 but Section 120B IPC was left regarding which later on an application was moved before the trial court which was rejected on 04.10.2023. Hence, this bail application has been moved. There is no likelihood of her abscondence or tampering with the evidence. The applicant is in jail since 11.01.2023. In case she is enlarged on bail, she will not misuse the said liberty.

4. Learned AGA has vehemently opposed the bail application but he could not dispute the submissions made above by the counsel for the applicant.

5. Having regard to the facts and circumstances that since earlier the bail application in Case Crime No.174 of 2017 has already been allowed and only Section 120B IPC had been left, therefore, there is no bar in allowing the bail application. Hence, the bail application is allowed.

6. Let the applicant - **Smt. Reeta Singh**, involved in the aforesaid 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 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 :- 4.12.2023
Shahroz