

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 24 of 2023

Applicant :- Smt. Sunita Devi

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt.
Lko. And Another

Counsel for Applicant :- Santosh Kumar Kanaujia

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Santosh Kumar Kanaujia, the learned counsel for the applicant, Ms. Parul Kant, the learned A.G.A. for the State and perused the records.
2. The instant application has been filed seeking release of the applicants on bail in Case Crime No. 225 of 2017, under Sections 3/7 of Essential Commodities Act, Police Station Maholi, District Sitapur.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 26.05.2017 against the applicant, who is a fair price shop owner, stating that some discrepancies were found at the time of inspection of the applicant's shop.
4. In the affidavit filed in support of the application it has been stated that the applicant is innocent, she has been falsely implicated in the present case and she has no criminal history.
5. Some ration card holders have given statements in favour of the applicant stating that she distributes commodities regularly.
6. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is a woman having no criminal history and offence alleged carry a maximum punishment of imprisonment up to seven years, I am of the view that the applicant is entitled to be released on bail in the aforesaid case.
8. Accordingly, this bail application stands ***allowed***.
9. Let the applicant-***Smt. Sunita Devi*** be released on bail in

Case Crime No. 225 of 2017, under Sections 3/7 of Essential Commodities Act, Police Station Maholi, District Sitapur on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

Order Date :- 2.11.2023

Pradeep/-