

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 203 of 2022

Applicant :- Rachna Mishra

Opposite Party :- State Of U.P Thru. Addi. Chief Secy. Home

Counsel for Applicant :- Parmeshwar Dutt Tewari, Manoj
Kumar Gupta, Rajesh Kumar Shukla

Counsel for Opposite Party :- G.A., Kirti Veer Singh, Ravi
Shanker Singh

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Parmeshwar Dutt Tewari, the learned counsel for the applicant as well as Smt. Parul Kant, the learned Additional Government Advocate appearing on behalf of the State and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No.0217 of 2021, under Section 306 I.P.C., registered at Police Station Gudamba, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 24.05.2021 alleging that the informant's cousin committed suicide on 24.05.2021 because of ill treatment meted out by his wife-the applicant.
4. In the affidavit filed in support of the anticipatory bail-application it has been contended that the applicant is innocent, she has no criminal history and she has falsely been implicated in the present case. A compact disc has been annexed with the containing a videograph recorded by the deceased wherein before committing suicide he stated that he was in love with some other person and he committed suicide because of breaking his trust by that person.
5. The applicant was granted interim anticipatory bail by this court by means of an order dated 14.02.2022 and a notice was issued to the opposite party no.2. The opposite party no.2 has put in appearance but has not filed any counter affidavit.
6. The State has filed a counter affidavit, stating that the compact disc has been sent to forensic sciences laboratory but the report of the laboratory is still awaited. There is no allegation of any violation of any conditions of the interim

anticipatory bail by the applicant.

7. The learned counsel for the applicant has submitted that the applicant has already submitted bail bonds in compliance of interim order.

8. Nothing has come to light which may persuade this court to take a view, other than the view taken at the time of granting interim anticipatory bail to the applicant.

9. In view of above, the interim order dated 14.02.2023 is made absolute and the anticipatory bail application is **allowed**.

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(Subhash Vidyarthi, J.)

Order Date :- 7.11.2023

Ram.