

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 347 of 2023

Applicant :- Smt. Uma Devi Alias Usha Tiwari

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

Counsel for Applicant :- Shishir Pradhan

Counsel for Opposite Party :- G.A.,Alok Kumar Tripathi

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Shishir Pradhan, the learned counsel for the applicant, Sri Shaunak Singh, the learned AGA-I for the State, Sri Alok Kumar Tripathi, the learned counsel for the informant and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in Case Crime No. 648/2022, under Sections 419, 420, 467, 468, 471 IPC, Police Station Lalganj, District Pratapgarh.
3. The aforesaid case has been registered on the basis of an FIR lodged on 03.10.2022 against eight persons, including the applicant, stating that two brothers of the informant's grandfather had not married and both of them had gone missing and the informant is in possession of their properties.
4. Some imposters executed a sale deed in respect of the properties of brothers of the informant's grandfather in favour of the applicant.
5. In the affidavit filed in support of the application it has been stated that the applicant is 26 years old innocent woman having no criminal history and has been falsely implicated in the present case.
6. Learned counsel for the informant has vehemently opposed the application and he has submitted that informant has inherited the land in question upon death of its owners. However, neither any FIR regarding the land owners having gone missing has been lodged, nor any declaration of their civil death has been issued by any competent court.
7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that even if the FIR

allegations are true, it is the informant herself who is a victim as he would not get title of the land even after payment of sale consideration and the applicant is a young women having no criminal history; that no violation of the conditions of interim anticipatory bail granted to the applicant by means of an order dated 13.02.2023 has been reported, I am of the view that the application deserves to be allowed in terms of the interim order.

8. In view of the above, the interim order dated 13.02.2023 is made absolute and the anticipatory bail application is ***allowed***.

Order Date :- 6.11.2023

Pradeep/-