

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 6623 of 2023

Applicant :- Smt. Rajeswhari

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Home Lko.

Counsel for Applicant :- Vineet Kumar Chaurasia, Jaydeep

Counsel for Opposite Party :- G.A., Aruna Kumari, Farhan Alam Osmany, Arun Kumar

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Vineet Kumar Chaurasia, the learned counsel for the applicant, Sri Akhilesh Kumar Vyas, the learned A.G.A.-I for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 347/2022, under Sections 419, 420, 467 & 468 IPC, Police Station Achalganj, District Unnao.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 27.11.2022 against five persons, including the applicant, alleging that co-accused persons Devendra Singh alias Deva Singh and Rohit Singh had introduced the informant to the applicant and her son, who executed a sale deed dated 05.07.2021 in favour of the informant in respect of a property, which had already been sold by them.
4. In the affidavit filed in support of the application it has been stated that the applicant is innocent and she has been falsely implicated in the present case.
5. The learned counsel for the applicant has submitted that the applicant was made to execute the sale deed by co-accused persons Devendra Singh and Rohit Singh under the pretext of execution of correction deed in respect of the previous sale deed executed by them.
6. Co-accused persons, namely, Brijesh Kumar Pasi and Mukesh Pasi have already been granted bail by means of an order dated 18.10.2023 passed by this Court in Criminal Misc. Bail Application No. 12355 of 2023.
7. The learned A.G.A. has opposed the prayer for bail but he

could not dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant has no previous criminal history and she is languishing in jail since 26.03.2023 whereas two similarly situate persons have been released on bail and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime.

9. Accordingly, this bail application stands ***allowed***.

10. Let the applicant-***Smt. Rajeswhari*** be released on bail in Case Crime No. 347/2022, under Sections 419, 420, 467 & 468 IPC, Police Station Achalganj, District Unnao, 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 :- 1.12.2023

Pradeep/-