

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 8642 of 2023

Applicant :- Manju Kaushal

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

Counsel for Applicant :- Prashansa Singh

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Sadhna Rani (Thakur),J.

Heard learned counsel for the applicant, learned A.G.A. and perused the record.

The accused- applicant is involved in Case Crime No. 0129 of 2021, under Sections 409, 420, 120-B I.P.C., Police Station Gomti Nagar, District- Lucknow.

It is argued by the learned counsel for the applicant that the main allegation, as per the FIR, is against Ajeet Kumar Gupta who is languishing in jail. The applicant was not the Director of the firm. The Director of the firm Vasudev Goswami and Chairperson of the firm Dharnidhar Upadhyay have been granted bail by the coordinate benches of this court. The applicant is languishing in jail since 29.3.2022, hence, the prayer is made accordingly.

Learned A.G.A. however opposed the prayer for the bail of the applicant and submitted that the present applicant is the Vice Chairman of the firm. There is criminal history of 28 cases to her credit.

From the perusal of the record, it is found that the FIR was lodged against 14 named persons including the present applicant, who happened to be the Vice Chairman of the company in question. It is the allegation that the stake holders of these two companies absconded after misappropriating Rs. 3,50,00000/- of the general public. The amount is said to be deposited in the company's account. The main accused Ajeet Kumar Gupta having criminal history of 130 cases, co accused Neelam Kaushal, Ajay Prakash Upadhyay and Om Shankar Kaushal have been granted bail by the coordinate benches of this court. All the aforesaid bail orders have been placed before the court. The present applicant who is said to have criminal history of 28 cases is said to have been released on bail in 14

cases. All the cases are said to be of the same nature belonging to the same company. The applicant is languishing in jail since 29.3.2022.

Perusing the record, considering the facts and circumstances of the case, the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merit of the case, I find it to be a case of bail.

The bail application is allowed.

Let the applicant Manju Kaushal who is involved in aforesaid 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 following conditions.

1. The applicant will attend and co-operate the trial proceedings pending before the court concerned on the dates fixed after release.
2. She will not tamper with the witnesses.
3. She will not indulge in any illegal activities during the bail period.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the trial court shall be at liberty to cancel the bail and send the applicant to the prison.

It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the ultimate merits of the case.

Order Date :- 11.12.2023

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