

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 11152 of 2022

Applicant :- Nanki @ Susheela Devi

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

Counsel for Applicant :- Upendra Kumar Verma, Adarsh Srivastava

Counsel for Opposite Party :- G.A., Anand Pratap Singh, Ram Singh

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Upendra Kumar Verma, the learned counsel for the applicant, Sri Akhilesh Kumar Vyas, the learned A.G.A 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. 156 of 2022, under Sections 419, 420, 467, 468, 471 IPC, Police Station Kotwali Nagar, District Gonda.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 06.03.2022 against five persons, including the applicant, stating that the informant had entered into a registered agreement to purchase a property from the applicant on 20.04.2018 and the applicant had executed a sale deed in furtherance of the aforesaid agreement on 30.11.2021. However, in the intervening period, the applicant executed a registered agreement to sell the same property to another person on 26.02.2020. The FIR itself states that upon being asked, the applicant had stated that the entire thing was done by her son.

4. In the affidavit filed in support of bail application it has been stated that the applicant is 62 year's old innocent woman having no criminal history.

5. The learned counsel for the applicant has made a statement at Bar that the applicant is languishing in jail since 05.05.2022 and even charges have not been framed till date.

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, 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 case.

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

9. Let the applicant-***Nanki @ Susheela Devi*** be released on bail in the aforesaid case 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 :- 16.11.2023

Pradeep/-