

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12145 of 2023

Applicant :- Smt. Asha Devi

Opposite Party :- The State Of U.P. Thru. Secy. Ministry Of Home Affairs

Counsel for Applicant :- Uma Shanker Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Uma Shanker Tiwari, learned counsel for the applicant, Sri Rishikesh Verma, 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. 138 of 2022, under Sections 406 and 420 I.P.C., registered at Police Station Khandasa, District Faizabad/Ayodhya.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 18.06.2022 against four persons, including the applicant, alleging that the applicant had introduced other three co-accused persons to the informant and they allured the informant for making investments in the company. However, no return was paid on the investments made by the informant.
4. Co-accused persons, Baijnath Tiwari and Suresh Mishra have been granted bail by means of the orders dated 21.07.2022 and 25.11.2022 passed in Bail Nos.8015 of 2022 and 9438 of 2022 respectively.
5. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, she has been falsely implicated in the present case and she has no criminal history.
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 and keeping in view the fact that the only allegation against the applicant is of introducing the co-accused persons to the informant; that two other co-accused persons have already been granted bail; that the applicant has no previous criminal history and he is languishing in jail since 07.08.2020 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.

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

9. Let the **applicant-Smt. Asha Devi** be released on bail in Case Crime No. 138 of 2022, under Sections 406 and 420 I.P.C., registered at Police Station Khandasa, District Faizabad/Ayodhya 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.

(Subhash Vidyarthi, J.)

Order Date :- 11.10.2023
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