

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2223 of 2023

Applicant :- Anpam @ Anupam @ Anupama Yadav

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

Counsel for Applicant :- Nagendra Singh, Kuldeep

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Nagendra Singh, the learned counsel for the applicant, Sri Anant Pratap Singh, the learned AGA for the State and perused the records.

2. The instant application has been filed by the applicant seeking anticipatory bail in an FIR bearing Case Crime No. 181 of 2023, under Sections 498-A, 304-B IPC and 3/4 D.P. Act, Police Station Bijour, District Lucknow.

3. The aforesaid case has been registered on the basis of an FIR lodged on 19.07.2023 against three persons, including the applicant, her husband-Ramesh Yadav and her son Alok Yadav, stating that the informant's daughter had married the applicant's son Alok Yadav out of her own free will, about 1.5 years ago. The accused persons used to harass her for demanding dowry and they killed her on 18.07.2023. The post mortem report mentions several injuries on the dead body and the cause of death has been opined to be asphyxia due to strangulation. A copy of statement of co-accused Ramesh Yadav has been annexed with the affidavit filed in support of the application, wherein he stated that on the date of the incident, her son Alok Yadav had gone away to Bijour and the applicant had gone to her parent's house and the aforesaid co-accused Ramesh Yadav had killed the deceased.

4. In the affidavit filed in support of the application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and that he has no criminal history.

5. Having considered the aforesaid facts and circumstances of the case and keeping in view the aforesaid confessional statement of co-accused Ramesh Yadav, coupled with the fact that the applicant is a women having no criminal history, I am of the view that the applicant is entitled to be granted anticipatory

bail in the present case.

6. In view of the above, the anticipatory bail application of the applicant is ***allowed***. In the event of arrest/ appearance of applicant-***Anpam @ Anupam @ Anupama Yadav*** before the learned Trial Court in the aforesaid complaint case, she shall be released on anticipatory bail on her furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness.

Order Date :- 12.10.2023

Pradeep/-