

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12970 of 2023

Applicant :- Meera Srivastava

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

Counsel for Applicant :- Desh Mitra Anand

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Desh Mitra Anand, learned counsel for the applicant, Sri Amit Kumar Dwivedi, 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. 878 of 2022, under Sections 409, 420, 467, 468, 471, 120B, 504, 506 I.P.C., registered at Police Station Gomti Nagar, District Lucknow.

3.The aforesaid case has been registered on the basis of an F.I.R. lodged on 06.11.2020 against 7 persons, not including the applicant stating that the informant had made investments in Shine City Infra Project Pvt. Ltd. but no return was given to him on his investments. FIR states that some money was transferred from Shine City to M/s Kingston Buildcon Private Ltd., which belongs to the applicant and her husband. During investigation, it has come to light that money has been transferred to as many as 69 persons or business entities from Shine City.

4. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, she used to work as a Teacher in a private school at Varanasi and she was not involved in day to day affairs of M/s Kingston Buildcon Private Ltd., which was managed by her husband.Applicant's involvement in 90 other cases of similar nature has been disclosed in para 28 of the affidavit and the applicant has not been granted bail in any of the cases.

5. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

6.Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is not named as accused in the FIR, although the FIR mentions the

applicant as a Director of M/s Kingston Buildcon Private Ltd., to which some money was transferred to Shine City; that the applicant claims that she was a Teacher working at Varanasi and she was not involved in day to day affair of Kingston Buildcon towards commission and that prima facie there appears to be no allegation against the applicant making out commission of any offence by him; and also that the applicant is a woman languishing in jail since 20.10.2021 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.

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

8. Let the **applicant-Meera Srivastava** be released on bail in aforementioned 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.

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(Subhash Vidyarthi, J.

Order Date :- 2.11.2023

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