

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13350 of 2023

Applicant :- Smt. Manju Kaushal

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

Counsel for Applicant :- Prashansa Singh, Pratibha Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

Heard Smt Prashansa Singh, learned counsel for the applicant and learned AGA for the State, and perused the record.

Learned Counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated in this case. The applicant was only employee in the company as alleged in the FIR. He has not committed any fraud with the informant. The Director of the company was Ajeet Gupta and the applicant had no concern with the fraud. Co-accused Kanhaiya Kaushal has already been granted bail by co-ordinate Bench of this Court vide order dated 26.7.2021 passed in Bail No. 1004 of 2021. Copy of said bail order has been annexed as Annexure 3 to the affidavit filed in support of bail application. The case of the applicant is similar to the co-accused who has been granted bail and the applicant is also entitled to bail on the ground of parity. He next submits that the applicant is in jail since 17.8.2021 and if he is released on bail, he will not misuse the liberty of bail.

Learned AGA for the State vehemently opposed the prayer of bail. However, he does not dispute the fact that above co-accused had been granted bail and the case of the applicant is similar to the said co-accused.

Upon hearing the learned counsel for the parties and upon the perusal of the record and considering the complicity of accused, severity of punishment as well as totality of facts and circumstances, at this stage, without commenting on the merits of the case, I find it a fit case for bail. The bail application is allowed.

Let applicant- Smt. Manju Kaushal be released on bail in Case Crime No.155 of 2020 under Section 406, 419, 420, 467, 409, 468, 471, 504, 506 IPC, registered at Police Station Kumar Ganj, District Faizabad/Ayodhya, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned, subject to the following conditions:

(i) The applicant will not tamper with prosecution evidence in any manner whatsoever.

(ii) The applicant will abide by the orders of the court, will attend the court on every date and will not delay the disposal of trial in any manner whatsoever.

(iii) The applicant will not indulge in any unlawful activity.

(iv) The applicant will not misuse the liberty of bail in any manner whatsoever.

(Subhash Vidyarthi, J.)

Order Date :- 8.11.2023

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