

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13345 of 2023

Applicant :- Smt. Manju Kaushal

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

Counsel for Applicant :- Pratibha Singh, Prashansa Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Ms Prashansa Singh, the learned counsel for the applicant, the learned Additional Government Advocate for the State and perused the material available on record.
2. The present application under Section 439 Cr.P.C. has been filed seeking bail in Case Crime No.451 of 2020, under Sections - 409, 419, 420, 467, 468, 471, 506, 120-B IPC, Police Station- Kotwali Nagar, District Faizabad/Ayodhya.
3. Learned counsel for the applicant submits that the applicant is not named in the FIR. Applicant is neither Director nor Agent or worker of the company and neither he is beneficiary. It is further submitted that the name of the present applicant is wrongly implicated in the present case. It is further submitted that cheating has been caused by the Director of the Company. It is also submitted that in case the applicant is enlarged on bail he shall not tamper with the evidence or misuse the liberty of bail and will also cooperate in the trial proceedings.
4. Learned counsel for the applicant also submits that co-accused persons, namely, Ajay Kumar Upadhyay, Shiv Kumar Goswami and Vishnu Gupta, have already been granted bail by this Court and copies of their bail orders have been annexed as Annexure no. 5 to the affidavit filed in support of the bail application. Co-accused-Ashish Tiwari has been granted bail by this court by means of the order dated 04.10.2023 passed in CRIMINAL MISC. BAIL APPLICATION No.11840 of 2023.
5. On the other hand, learned AGA has opposed the prayer for bail but could not controvert the aforesaid factual matrix.
6. Considering the facts and circumstances of the case and taking into account the fact that applicant is neither Director nor Agent or worker of the company and neither he is beneficiary and cheating has been caused by the Director of the Company and without expressing any opinion on the merits of the case, it would be appropriate to enlarge the accused-applicant on bail.

7. The bail application is allowed.

8. Let applicant- Smt. Manju Kaushal be released on bail in the above case crime number on her furnishing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned with the 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 :- 8.11.2023
prateek