

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13433 of 2023

Applicant :- Nidhi Rastogi

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

Counsel for Applicant :- Amitesh Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Amitesh Pratap Singh, learned counsel for the applicant, Sri Gyanendra Singh, 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.0394 of 2021, under Sections 406, 420, 504, 506, 467, 468, 471 I.P.C., registered at Police Station Hazratganj, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 20.10.2021 against the applicant and her husband Anurag Singh alleging that the applicant had offered to get the informant employed on a Group C post in Secretariat provided she spent Rs.3 Lakh. However, the informant did not get employed even after payment of the money.
4. 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. There is a matrimonial dispute between the applicant and her husband; the informant is the applicant's cousin and the applicant's husband is in a relationship with her.
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 from the averments made in the FIR it is the informant herself who tried to secure employment by illegal means; that the informant is cousin of the applicant, who claims that there is a matrimonial discord between her and her husband because her husband is in a relationship with the informant; that the applicant is a woman having no previous criminal history and she is languishing in jail since 27.07.2023 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-Nidhi Rastogi** 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.

(Subhash Vidyarthi, J.)

Order Date :- 9.11.2023
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