

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13691 of 2023

Applicant :- Smt. Mithlesh Verma

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

Counsel for Applicant :- Ajeet Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Ajeet Kumar, the learned counsel for the applicant and Smt. Parul Kant, the learned AGA for the State and perused the records.
2. The instant application has been filed seeking release of the applicants on bail in Case Crime No. 1067 of 2022 under Sections 420, 409 IPC, Police Station Kotwali Nagar, District Barabanki.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 04.10.2022 against Atul Verma, Director S.T.S. Infra Pvt. Ltd., not including the applicant alleging that the informant had made some investments in S.T.S Company but no return was paid on his investment. The applicant has been implicated during investigation as she happened to be a Director of the company.
4. In the affidavit filed in support of the application, it has been stated that the applicant is innocent and she has been falsely implicated in the present case.
5. The applicant's involvement in 43 other cases of similar nature has been disclosed in para-17 of the affidavit filed in support of the application, in 22 of which the applicant has already been granted bail. The applicant is languishing in jail since 03.01.2023.

6. The learned counsel for the applicant has submitted that co-accused persons, namely, Sharad Kumar Verma, Gunjan Verma and Atul Kumar Verma have already been granted bail in the present case passed by this court.

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

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that she has already been granted bail in 22 other cases of similar nature and she is languishing in jail since 03.01.2023 whereas three co-accused persons have already been granted bail in the present case and without making any observation, which may affect the merits of the case, I am of the view that the applicant is entitled to be released on bail in the present case.

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

10. Let the applicant- **Smt. Mithlesh Verma** be released on bail in the aforesaid 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 :- 18.12.2023

Preeti.