

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14136 of 2023

Applicant :- Anju Mourya

Opposite Party :- State Of U.P. Throu. Sect. Home Lko.

Counsel for Applicant :- Rajendra Prasad Mishra, Aditya Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Aditya Mshra, the learned counsel for the applicant and Ms. Charu Singh, the learned AGA 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. 6 of 2022, under Sections 419, 420, 467, 468, 471 IPC and 66/66D of I.T. Act, Police Station SIT, District Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 20.04.2022 against four named persons, including the applicant, and their other accomplices, alleging that the applicant's husband-co-accused Nanmun Prasad Maurya runs two customer service centres of SBI in the name of the applicant. Co-accused Rajesh Pathak is a Lekhpal. The financial condition of the aforesaid three persons is changing rapidly and the informant had come to know that the co-accused Rajesh Pathak prepares fake documents and withdraws GPF and other dues payable to the persons, fraudulently.

4. Earlier an FIR No. 86 of 2021, under Sections 419, 420, 467, 468, 471, 120-B, 409 & 411 IPC and 66/ 66D IT Act was lodged at Police Station Nawabganj, District Gonda, on the same set of allegations and the applicant's husband-co-accused Nanmun Prasad Maurya and Rajesh Pathak were granted bail in the aforesaid case by means of orders dated 28.09.2021 and 18.10.2021 passed by this Court in Bail Application Nos. 5875 of 2021 and 11613 of 2021.

5. Subsequently, after the investigation having been transferred to SIT, the present FIR has been lodged in Police Station SIT.

6. In the affidavit file in support of the application it has been stated that the applicant is an innocent woman having no

criminal history and she is languishing in jail since 03.11.2023.

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 the allegations levelled in the FIR is that the Customer Service Centres in the name of the applicant is being operated by her husband co-accused Nanmun Prasad Maurya and in the FIR lodged on the same set of facts earlier the applicant's husband Nanmun Prasad Maurya and co-accused Rajesh Pathak have already been granted bail and the applicant is woman having no criminal history 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 case.

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

10. Let the applicant- ***Anju Mourya*** 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.

Order Date :- 1.12.2023

Pradeep/-