

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14145 of 2023

Applicant :- Smt. Mithlesh Verma

Opposite Party :- State Of U.P. Thru. Prin. Secy. (Home) Civil Sectt. Lko

Counsel for Applicant :- Ajeet Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Ms Ankita Verma holding brief of Sri Ajeet Kumar, learned counsel for the applicant, Sri Vinay Kumar Sahi, 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. 0749 of 2022, under Sections 109/409/420/467/468/471/504/506 I.P.C., registered at Police Station Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 29.07.2022 against two persons, not including the applicant, alleging that the informant had made some investment in a company Sankalp Trading Services, but upon maturity the invested amount was not refunded to the informant. The applicant has subsequently been implicated in the present case because she is wife of the proprietor of the firm.

4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and he has been falsely implicated in the present case. In para 20 of the affidavit the applicant's involvement in 42 other cases of similar nature has been disclosed, in 15 of which the applicant has already been granted bail. Co-accused Abhishek Kumar Upadhyay has been granted bail by this Court by means of the order dated 18.08.2023 passed in CRIMINAL MISC. BAIL APPLICATION No.10331 of 2023.

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 the grievance of the informant is regarding non-refund of money invested in a company and the applicant is not named in the FIR and she is not a director or other principal position holder in the company and the applicant has already been granted bail in 15 cases out of 43 cases of similar nature in which he has been implicated, coupled with the fact that the applicant is languishing in jail since 23.11.2022 and even charges have not been framed till date 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-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 :- 1.12.2023

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