

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 2747 of 2023

Applicant :- Rinki Devi

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

Counsel for Applicant :- Dinesh Kr. Chaudhary

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. The advocates are abstaining from judicial work today. However, as the question of personal liberty of the applicant is involved in the present case and the Court is under an oath to perform its duties to the best of its ability, I proceed to decided the application after going through the records with the assistance of learned A.G.A Sri Anant Pratap Singh appearing on behalf of the State.

2. The instant application has been filed by the applicant seeking anticipatory bail in Case Crime No. 85 of 2021, under Sections 419/420/467/468/471 IPC, Police Station Kotwali Nagar, District Balrampur.

3. The aforesaid case has been registered on the basis of an FIR lodged on 01.04.2021 against 92 persons, including the applicant, alleging that the accused persons secured appointment on the post of Assistant Teachers in schools under U.P. Basic Shiksha Parishad, on the basis of forged documents. The applicant had joined on the post on 30.08.2016 and her service has been terminated after less than 3 months. The applicant did not receive any amount towards salary.

4. Eleven other similarly situated accused persons have been granted anticipatory bail in the present case.

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 applicant's service has already been terminated

in the year 2016; that the applicant has no criminal history and that several similarly situated persons have already been granted anticipatory bail, I am of the view that the applicant is also entitled to be granted anticipatory bail in the present case on the ground of parity.

7. In view of the above, the anticipatory bail application of the applicant is **allowed**. In the event of arrest/ appearance of applicant- **Rinki Devi** before the learned Trial Court in the aforesaid complaint case, she shall be released on anticipatory bail on her furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness.

(Subhash Vidyarthi,J.)

Order Date :- 1.12.2023
Preeti.