

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14796 of 2023

Applicant :- Smt. Gomti And Another

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

Counsel for Applicant :- Pankaj Kumar Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Pankaj Kumar Gupta, the learned counsel for the applicants as well as Sri Arpit Kumar, the learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicants on bail in Case Crime No. 216 of 2017, under Section 147, 148, 149, 504, 506, 323, 324, 308 I.P.C., registered at Police Station Hargaon, District Sitapur.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 14.07.2017 against seven persons, including the applicants, alleging that the accused persons had assaulted the informant and his family members because of an old dispute. Regarding the applicant no. 1, the F.I.R states that she had carrying a pistol and she had abused and threatened and the applicant no. 2 and another co-accused Babli had beaten up one Mohani Devi with sticks.
4. In the affidavit filed in support of the bail application, it has been stated that the applicants are aged 42 and 60 years old respectively having no criminal history and they have falsely been implicated in the present case.
5. The learned counsel for the applicant has submitted that co-accused Babli, has already been granted bail by means of an

order dated 07.12.2023 passed by this Court in Criminal Misc. Bail Application No.14445 of 2023 whereas the applicants are languishing in jail since 17.11.2023.

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

7. Having considered the aforesaid facts and circumstances of the case and without making any observations which may affect the merits of the case, I am of the view that the applicant is also entitled to be released on bail.

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

9. Let the **applicants- Smt. Gomti and Smt. Manojani** 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 the 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 :- 15.12.2023

Preeti.