

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14875 of 2023

Applicant :- Smt. Mithilesh

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, learned counsel for the applicant, Sri Jayant Singh Tomar, learned A.G.A.-I 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.288 of 2022, under Sections 419, 420, 408 I.P.C., registered at Police Station Mahmoodabad, District Sitapur.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 01.07.2022 against eight persons, including the applicant, alleging that the informant and his family members had made investments in STS/Sankalp Group under allurement of lucrative return but upon maturity the money was not refunded to the investors.

4. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent and she has been falsely implicated in the present case on the basis of wrong averments made in the FIR. The informant had not made any investment in STS/Sankalp Group rather he had made investment in LLC Multistate Agro Co-operative Society Ltd., under various schemes under which they had to be given plots of land upon completion of investments for various periods. The investors did not deposit the complete amount by paying all the installments rather they filed the FIR. Applicant's criminal history of 43 cases have been disclosed in para 19 of the affidavit, in 20 of which she has been granted bail.

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 is 66 years old lady and she is languishing in jail since 24.05.2023

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. Mithilesh*** be released on bail in Case Crime No.288 of 2022, under Sections 419, 420, 408 I.P.C., registered at Police Station Mahmoodabad, District Sitapur 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 :- 16.12.2023

Pradeep/-