

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 15430 of 2023

**Applicant :-** Smt. Manju Kaushal

**Opposite Party :-** The State Of U.P. Thru. Prin.Secy. Home Deptt.

**Counsel for Applicant :-** Pratibha Singh, Prashansa Singh

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi, J.**

1. Heard Ms. Pratibha Shukla, learned counsel for the applicant, the learned A.G.A. for the State and perused the records..

2. The instant bail application has been filed on behalf of the applicant with a prayer to release the applicant on bail during the trial in Case Crime No. 832 of 2020, under Sections 409/419/420/467/468/504/471/120-B IPC, P.S.- Gomti Nagar, District – Lucknow.

3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the present case. Several F.I.Rs. were registered against the applicant arising out of dispute with regard to a company. The applicant has explained his criminal history in para 18 of the affidavit filed in support of the bail application. The applicant is not involved in the alleged offence. He added that in the identical matter applicant has been enlarged on bail in Criminal Misc. Bail Application No. 3853 of 2022, 7762 of 2022, 3697 of 2022, 3693 of 2022 and 2823 of 2022 vide orders dated 15.09.2022, 14.09.2022, 25.05.2022 and 04.04.2022. Co-accused Basudev Goswami, has already been granted bail by means of an order dated 11.05.2023 passed by this Court in Criminal Misc. Bail Application No.15388 of 2023. He further

added that the present applicant is aged about 45 years of age and she is languishing in jail since 29.03.2022. In case, she is granted bail, she will not misuse the liberty of bail and would cooperate in the trial proceedings.

4. Per contra, learned A.G.A. vehemently opposed the prayer of bail and submits that several FIRs were lodged against the present applicant and he is not entitled for bail.

5. Considering the submissions of learned counsel of both sides, nature of accusation and severity of punishment in case of conviction, nature of supporting evidence, prima facie satisfaction of the Court in support of the charge, reformatory theory of punishment and considering larger mandate of the Article 21 of the Constitution of India and, without expressing any view on the merits of the case, I find it to be a case of bail.

6. The bail application is **allowed**.

7. Let applicant- **Smt. Manju Kaushal** be released on bail in the above case crime number on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned with 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 :- 22.12.2023**  
Preeti.