

Court No. - 69

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46581 of 2024

Applicant :- Sanjeeda Alias Sajeeta Alias Lado

Opposite Party :- State of U.P.

Counsel for Applicant :- Atul Kumar, Veer Singh

Counsel for Opposite Party :- Dushyant Singh, G.A.

Hon'ble Ashutosh Srivastava, J.

Heard Shri Atul Kumar, learned counsel for the applicant, learned AGA for the State-Respondents and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of accused-applicant, Sanjeeda Alias Sajeeta Alias Lado, seeking enlargement on bail in Case Crime No. 374, under Sections 140 (1), 142, 61(2)A of the Bharatiya Nyaya Sanhita, 2023, Police Station Sadabad, District Hathras.

Learned counsel for the applicant argued that the accused-applicant is innocent and has been falsely implicated in this case crime number. The applicant is languishing in jail since 10.07.2024. He submits that the applicant is not named in the FIR. Learned counsel for the applicant submits that according to the FIR, the son of informant was kidnapped while his son was coming home from tuition. After receiving information from nearby peoples, the informant reached at the spot and found the bag of books and cycle lying there. On the basis of information the Police arrested two accused namely Sumit and Ashok. He further submit that the name of the applicant surfaced in the statement of the other co-accused Sumit and Ashok. The applicant is the wife of the other accused Ashok. The kidnapped son of the informant was recovered from the house of the applicant. No role has been assigned to the applicant in the aforesaid case and being the wife of the co-accused Ashok, the applicant has been falsely implicated in the present case. He submits that the applicant is a lady and having pregnancy of about 7 months. The applicant has no criminal antecedent and there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Learned AGA has vehemently opposed, but could not dispute the fact that applicant has no criminal antecedents.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness, period of incarceration as well as mandate of 1st Proviso of Section 480 of B.N.S.S. and prima-facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is **allowed**.

Let the accused-applicant, **Sanjeeda Alias Sajeeta Alias Lado**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

Order Date :- 20.12.2024

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