2026:AHC:211115

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 15668 of 2026

Neetu Devi

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Dileep Kumar Gautam, Neeja Srivastava, Utkarsh Khanna
Counsel for Opposite Party(s)	:	Apurva Hajela, G.A.

Court No. - 69

HON'BLE AVNISH SAXENA, J.

1. Heard Sri V.P. Srivastava, learned Senior Counsel assisted by Sri, Dileep Kumar Gautam, learned counsel for accused applicant, Sri Apurva Hajela, learned counsel for informant and learned A.G.A. for State.

2. The present bail application has been moved by the applicant accused-**Neetu Devi** to enlarge him on bail in Case Crime No. 0083 of 2025, under Sections 419, 420, 409, 467, 468, 120B IPC, P.S.- Chetganj, District-Varanasi, during the pendency of trial.

3. It is the contention of learned Senior counsel for applicant that accused applicant has not been named in FIR dated 09.05.2025 lodged by the Satendra Kumar Srivastava, Manager of M/s. Neelamber Taxim and Credit Pvt. Ltd. with the allegation against 16 named persons wherein it is alleged that the company of informant is in the business of share trading. There are two bank accounts of the company. One bank account in Yes Bank with account number ending 0975 has been misused by the accused persons particularly Kamaldhari Yadav, co-accused and huge amount has been siphoned off from that account to other bank account. It is to the tune of Rs.5,02,76,435.53 During investigation the name of accused applicant has been figured out that it is the account of accused applicant wherein the money was siphoned off and subsequently taken out by various mode. It is the contention of learned Senior Counsel that the accused applicant is a house wife and two persons namely Gulafsa Bano and Ashish Tiwari (co-accused) had contacted her to open an account in

Yes Bank. The account has been opened, but that account has never been operated by the accused applicant nor passbook or cheque ever received by her. It is further contended that the accused applicant has no complicity in the present case. She has no knowledge about the misuse of her account number, which is apparently being used by Ashish Tiwari one of the co-accused. It is further contended that transaction has been made from the year 2023 to 2025, during which period the amount as soon as transferred to the account of the accused applicant has further been transferred to other account or taken out in cash. The applicant has no other criminal history except the one of similar nature wherein different account has been opened and with the same process that account was also being used for siphoning of the money. Further submits that co-accused Ashish Tiwari is a relative of accused, who has misused her bank account and the documents. She has no concern with the fraud carried out in the account of the informant. The accused applicant is languishing in jail since 07.07.2025 and despite submission of charge sheet, the trial is still at the nascent stage. Further submits that some of the co-accused have already been enlarged on bail by this Court. He seeks enlargement of accused on bail.

4. Learned counsel for informant and learned A.G.A. for State opposed the bail application and submitted that her complicity is explicit as huge amount has been transferred from her account to other accounts. Learned counsel has drawn the attention of this Court towards the statement of account of the accused applicant which shows huge transaction of money from the year 2023 to 2025. Further submits that the complicity of accused applicant cannot be over looked merely because she is a housewife, but her account was being used for siphoning off the money. Further submits that charge sheet is submitted against the accused applicant and as such bail application be rejected.

5. This Court has taken into consideration the rival submissions made by learned counsel for the parties and perused the record.

6. Considering that it is an admitted case that account number of accused applicant has been used for siphoning off the money from the account of the company, but there is apparently nothing on record to show the

complicity of accused applicant that she is involved in such a transaction knowingly wherein the defence of the accused applicant is that she being house wife and her account being operated by the co-accused Ashish Tiwari, who was instrumental in getting her account opened in Yes Bank and the trial is at the nascent stage, the accused/applicant is entitled to be released on bail.

7. Hence, without touching merit of the case, the bail application is **allowed**.

8. The accused/applicant 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 court concerned in view of observation made by the Supreme Court in its dictums of **Girish Gandhi Vs. State of Uttar Pradesh [(2024) 10 SCC 674] and Policy Strategy for grant of bail in re [(2024)10SCC 685].**

9. The accused-applicant shall cooperate in judicial process for fair and speedy disposal.

(Avnish Saxena,J.)

October 8, 2026
Sharad/-

Digitally signed by :-
SHARAD KUMAR SRIVASTAVA
High Court of Judicature at Allahabad