

Court No. - 81

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 25888 of 2022

Applicant :- Versha Kumari

Opposite Party :- State of U.P.

Counsel for Applicant :- Avanish Kumar Srivastava, Manoj Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Mohd. Azhar Husain Idrisi, J.

The instant bail application has been filed on behalf of the applicant with a prayer to admit her on bail in Case Crime No. 05 of 2021, under Sections 419, 420, 467, 468, 471, 120-B I.P.C. and Section 66 D of the Information Technology Act, P.S. Parikshtriya Cyber Crime Police, District Mirzapur. during the pendency of trial.

Heard learned counsel for the applicant as well as learned AGA for the State and perused the material placed on record.

It is argued by the learned counsel for the applicant that the applicant is absolutely innocent and has been falsely implicated in the present case with some ulterior motive. It is pointed out that co-accused Suman Kumar has already been enlarged on bail vide order dated 13.9.2022 passed in Criminal Misc. Bail Application No.26781 of 2022. The applicant claims parity. More so the applicant is a lady who is in jail since 25.4.2022 and having scanty chances of her fleeing away from the judicial process and tampering the prosecution evidence, deserves to be released on bail.

Per contra learned A.G.A. has opposed the bail prayer of the applicant contending that the innocence of the applicant cannot be adjudged at pre trial stage but could not dispute the aforesaid submission of the learned counsel for the applicant.

The points pertaining to nature of accusation, severity of punishment, reasonable apprehension of tampering the witnesses, prima facie, satisfaction regarding proposed evidence and genuineness of the prosecution case were duly considered.

Without expressing any opinion on the merits, let the applicant Versha Kumari involved in aforesaid crime be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions that :-

1. The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, during the investigation or trial.
2. The applicant shall cooperate in the trial sincerely without seeking any adjournment.
3. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

In case of breach of any of the above conditions, it shall be a ground for cancellation of bail. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

Order Date :- 19.9.2022

M. Tarik