

Allahabad High Court

Smt. Pushpa Devi vs State Of U.P. on 2 April, 2010

Court No. - 47

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7607 of 2010

Petitioner :- Smt. Pushpa Devi

Respondent :- State Of U.P.

Petitioner Counsel :- Arunesh Singh

Respondent Counsel :- Govt Advocate

Hon'ble Surendra Singh,J.

Applicant-Smt. Pushpa Devi seeks bail in Case Crime No. 1098 of 2009 under Sections 498-A, 304-B IPC and 3/4 D.P. Act, Police Station New Agra, District Agra.

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 an unfortunate mother-in-law of the deceased Smt. Mamta @ Meera and similarly situated co-accused Banwari Lal (father-in-law of the deceased) has been granted bail by this Court on 30.3.2010 vide Criminal Misc. Bail Application Nos. 6956 of 2010. He next argued that the applicant being in jail since 3.12.2009, having no criminal history to her credit, deserves to be released on bail at this stage.

The bail is, however, opposed by the learned A.G.A.

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.

Considering the totality of circumstances of the case, I consider it a fit case to enlarge the applicant on bail.

Without expressing any opinion on the merits of the case, let the applicant- Smt. Pushpa Devi involved in aforesaid crime be released on bail on her furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned.

Order Date :- 2.4.2010 Manoj