

1
IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE
HON'BLE SHRI JUSTICE DINESH KUMAR PALIWAL
ON THE 10th OF AUGUST, 2022

MISC. CRIMINAL CASE No. 25531 of 2022

Between:-

SMT. GEETA VISHWAKARMA W/O LATE
SHAMBHULAL VISHWAKARMA, AGED ABOUT
42 YEARS, OCCUPATION: HOUSEWIFE R/O
WARD NO. 10, JHIRIYA MOHALLA,
BIRSINGHPUR, THANA- PALI, DISTRICT-
UMARIA, M.P. (MADHYA PRADESH)

.....PETITIONER

(BY SHRI NEERAJ SHAH, ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH
POLICE STATION PALI DISTRICT UMARIA M.P.
(MADHYA PRADESH)

.....RESPONDENTS

(BY SHRI MANOJ KUSHWAHA, PANEL LAWYER)

.....
*This application coming on for admission this day, the court passed the
following:*

ORDER

This **first** bail application under Section 439 of the Code of Criminal Procedure has been filed on behalf of the applicant- Smt. Geeta Vishwakarma for grant of bail.

The applicant is in custody since 06.05.2022 in connection with Crime No. 165/2022 registered at P.S.- Pali, District - Umara (M.P.) for commission of the offence punishable under Sections 409, 420 & 120-B of the Indian Penal Code.

Learned counsel for the applicant submitted that applicant is a housewife

and deceased husband of applicant was acting as Post Office Agent. He used to do all works on behalf of the applicant. It is submitted that applicant is innocent, therefore, she may be released on bail.

On the other hand, learned Panel Lawyer for the respondent/State has opposed the grant of bail to the applicant.

Applicant is in jail since 06.05.2022. Investigation is complete and charge-sheet has been filed. Account of applicant Geeta Vishwakarma has been seized by the police. There is about Rs. 52 lacs in said account.

On said information, counsel for the applicant submitted that since account has already been seized and therefore, the amount of complainant is secured. If applicant is found guilty then amount can easily be returned to complainant. In these circumstances and also considering the fact that applicant is a lady aged about 42 years, she may be released on bail.

Consequently, this first bail application under Section 439 of the Code of Criminal Procedure for grant of bail filed on behalf of applicant-**Geeta Vishwakarma** is **allowed**.

It is directed that **applicant- Geeta Vishwakarma** be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions enumerated under Section 437(3) of Cr.P.C.

This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

(DINESH KUMAR PALIWAL)
JUDGE

kundan

