

**(2021) 04 SHI CK 0191**

**In the High Court Of Himachal Pradesh**

**Case No : Criminal Miscellaneous Petition (M) No.662 Of 2021**

Anita Kumari

APPELLANT

Vs

State Of Himachal Pradesh

RESPONDENT

**Date of Decision : 22-04-2021**

**Acts Referred:**

Code Of Criminal Procedure, 1973 — Section 438  
Indian Penal Code, 1860 — Section 120B, 420, 467, 468, 471  
Prevention Of Corruption Act, 1988 — Section 13(2)

**Citation : (2021) 04 SHI CK 0191**

**Hon'ble Judges : Vivek Singh Thakur, J**

**Bench : Single Bench**

**Advocate : Nimish Gupta, Raju Ram Rahi, Bala Ram Thakur**

**Final Decision : Disposed Of**

## **Judgement**

Vivek Singh Thakur, J

1. Petitioner has approached this Court for bail under Section 438 Criminal Procedure Code (in short Cr.P.C.), in case FIR No.9 of 2020, dated 29.01.2020, registered in Police Station Sangrah, District Sirmaur, H.P., under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code (in short 'IPC') and Section 13(2) of the Prevention of Corruption Act.

2. Status report stands filed.

3. Learned Deputy Advocate General, under instructions, submits that investigation is almost complete and specimen handwriting of the petitioner has also been obtained and has been sent for analysis to the Forensic Science Laboratory and that further custodial interrogation is not required at this stage.

4. Considering entire facts and circumstances, petitioner is directed to be enlarged on bail and interim bail granted on 06.04.2021 is confirmed, subject to furnishing personal bond in the sum of Rs.35,000/- with one surety in the like amount, to the satisfaction of the trial Court, within a week from today, upon

such further conditions as may be deemed fit and proper by the trial Court, including the conditions enumerated hereinafter, so as to ensure the presence of petitioner/accused at the time of trial and also subject to following conditions:-

(i) That the petitioner shall make herself available to the police or any other Investigating Agency or Court in the present case as and when required;

(ii) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to Court or to any police officer or tamper with the evidence. She shall not, in any manner, try to overawe or influence or intimidate the prosecution witnesses;

(iii) that the petitioner shall not obstruct the smooth progress of the investigation/trial;

(iv) that the petitioner shall not commit the offence similar to the offence to which she is accused or suspected;

(v) that the petitioner shall not misuse her liberty in any manner;

(vi) that the petitioner shall not jump over the bail;

(vii) that in case petitioner indulge in repetition of similar offence(s) then, her bail shall be liable to be cancelled on taking appropriate steps by prosecution; and

(viii) that the petitioner shall not leave the territory of India without prior permission of the Court.

(ix) that the petitioner shall inform the Police/Court her contact number and shall keep on informing about change in address and contact number, if any, in future.

5. It will be open to the prosecution to apply for imposing and/or to the trial Court to impose any other condition on the petitioner as deemed necessary in the facts and circumstances of the case and in the interest of justice and thereupon, it will also be open to the trial Court to impose any other or further condition on the petitioner as it may deem necessary in the interest of justice.

6. In case the petitioner violates any condition imposed upon her, her bail shall be liable to be cancelled. In such eventuality, prosecution may approach the competent Court of law for cancellation of bail, in accordance with law.

7. Trial Court is directed to comply with the directions issued by the High Court, vide communication No.HHC.VIG./Misc. Instructions/93-IV.7139 dated 18.03.2013.

8. Observations made in this petition hereinbefore, shall not affect the merits of the case in any manner and are strictly confined for the disposal of the bail application.

9. Petition is disposed of in aforesaid terms.

10. Copy dasti.

11. Petitioner is permitted to produce a copy of this judgment, downloaded from the web-page of the High Court of Himachal Pradesh, before the authorities concerned, and the said authorities shall not insist for production of a certified copy but if required, may verify it from Website of the High Court.