

IA No. 05/2023
SC No. 393/2022
State Vs. Usha Mishra
FIR No. 356/2022
PS: Sonia Vihar
U/s: 302/304-B/498-A/34 of IPC

09.06.2023

Present: Sh. Nadeem Qureshi, Ld. Counsel for applicant
/accused Dharam Raj.
Sh. Sukhbeer Singh, Ld. Addl. PP for the State.
Complainant in person.
Insp. Pawan Kumar, the deputed IO.

1. The matter is fixed for hearing arguments on the application for grant of bail filed by the applicant/accused Usha Mishra.

2. Today, on calling the case, ld. Counsel for the applicant/accused has appeared. Ld. Counsel for the complainant has also appeared. The deputed IO has also appeared and filed reply to the application. Copy thereof has been supplied to the ld. Counsel for the applicant/accused.

3. I have heard the Ld. Counsels for the parties.

4. Sh. Nadeem Qureshi, Ld. Counsel for the applicant/accused Usha Mishra has submitted that this applicant/accused was arrested way back on dated 10.07.2022 and since then, she is behind bars. He has further submitted that co-accused Dharam Raj and Karuna Mishra were granted bail by this court and similar charges have been framed against the present applicant/accused, as that of the other co-accused and

submitted that the applicant/accused is seeking relief of bail on the principle of parity and prayed for grant of bail.

5. On the other hand, Sh. Sukhbeer Singh, Ld. Addl. PP for the State has vehemently opposed the present application for grant of bail, but, he has admitted that the co-accused who have been granted bail by this court are also facing the same charges.

6. I have given thoughtful consideration to the submissions made by the Ld. Counsels for the parties and perused the record.

7. The perusal of the record reveals that this applicant/accused was arrested way back on dated 10.07.2022 and since then, she is behind bars. No doubt, charges against this applicant/accused have been framed u/s. 498-A/34, 304-B/34 and 302/34 of IPC. Since, the co-accused have already been granted bail by this court, so, on the principle of parity, this applicant/accused is also entitled for grant of bail. Accordingly, this applicant/accused Usha Mishra is ordered to be released on bail on furnishing personal bond in the sum of Rs.20,000/- with one surety of the like amount, subject to condition that she will not temper with the evidence of the prosecution in any manner and she will not try to contact with any witnesses of the prosecution and she will not leave the territory of the NCT of Delhi without prior permission of this court and in case, this applicant/accused will violate any condition of this order, the

prosecution will be at liberty to file application for cancellation of bail of this accused.

8. In the above said terms, **the application for grant of bail filed by the applicant/accused Usha Mishra stands allowed.** Dasti copies of this order be provided to the parties. **The attested copy of this order be also sent to the Superintendent of Central Jail, Tihar for supplying the same to this accused.**

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/09.06.2023