

RITURAJ YADAV VS State of Haryana etc.

Present: Sh. Abhishek, learned APP for the State.
Sh. Ajay Yadav Advocate for accused Rituraj Yadav.

Reply to the bail application filed which is duly forwarded by learned APP.

It is contended by learned counsel for the accused that the accused has been falsely implicated in the present criminal case and has been maliciously arraigned as an accused in the various FIRs by the complainant. It is further argued that the accused Praveen Yadav is the main accused in the present case who got Government Bank Account opened in Axis Bank where applicant was Bank Manager. It is further argued that the applicant/accused is a new mother who just delivered a baby who was prematurely born due to critical medical condition and is need of critical care. Applicant/accused is responsible for daily up-keep, care protection and feeding of their premature infants and as such keeping them in custody shall not serve the interest of justice. It is therefore, becomes extremely crucial for the very sustenance of very life of newly born that she is accorded the comfort, care and love of her mother and it is, therefore, necessary that benefit of bail be extended to the applicant. The denial of bail often operates as defacto detention of their infants. It is further argued that no role of applicant/accused has been attributed. Hence, it is prayed that the benefit of regular bail be extended to the accused. Ld APP for the state duly assisted by the Ld counsel for the complainant opposed the said prayer of the applicant/accused on the ground that the charges against the accused are serious in nature and accused Ritu Raj has a active role in commission of the crime. It is further argued that she is the educated lady and a branch manager in the branch where the fake accounts in the name of government was opened. It is further argued that the accused Ritu Raj is the Director of a Company M/s Koshia Enterprises Pvt. Ltd which was created for commission of crime. Applicant/accused is the family member of main accused Praveen Yadav and shared the amount earned in commission of crime

Heard. In the present case, no overwhelming circumstance has been pointed out which warrants the grant of bail to the accused. It has been argued by learned counsel for the accused that the applicant is new mother who has just delivered a baby who was prematurely born but no documents in support of this contention has been produced which reflects that the mother or a baby has any medical issues. Documents attached with the application shows that baby was born after more than 37 weeks of pregnancy which cannot be termed as premature baby. Furthermore, in case of any medical urgency, the Medical Officer in the jail is available for treatment. Hence,

this condition of the applicant/accused is not a ground to grant bail to accused. Moreover, as far as vaccination of infants are concerned, this can also be arranged in jail. Furthermore, the allegations against the accused are covered under Sections 420, 465, 467, 468, 471, 506 read with Section 120-B IPC. The allegations against the accused are grave and serious in nature. Furthermore, the accused is an educated lady and was working as a Branch Manager in a Bank where the fake account of Government was opened and she was also Director and Authorized Signatory in the company M/s Koshia Enterprises Pvt. Ltd, the possibility of her involvement in the crime along-with the main accused Praveen Yadav cannot be ruled out. **Therefore, this court is not inclined to grant bail. Hence, the bail application in hand stand disposed, being dismissed.** However, Jail Authorities are directed to provide adequate food to accused Rituraj as she is breastfeeding mother and to arrange proper vaccination to the infants as per the provisions of Jail manual.

Nothing in this regard shall be construed as an observation on the merits of the case. **Let, file be put up the date already fixed i.e.**

Date of Order: 2022-01-19
Gourav SG-III

(Ms. Shivani)
Judicial Magistrate - Ist Class
UID NO . HR00529