

Court No. - 73

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 9521 of 2023

Applicant :- Ajay Gautam @ Dharmendra Kumar

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Saurabh Basu, Abhinay Bhattacharya

Counsel for Opposite Party :- G.A.

Hon'ble Nalin Kumar Srivastava, J.

1. Counter affidavit filed by the learned A.G.A. is taken on record.
2. Learned AGA submitted the offences levelled against the applicant are punishable with the imprisonment for a maximum period upto seven years and a notice under Section 41-A Cr.P.C. has been given to the accused applicant in this matter by the police, as such the applicant has no reason to believe that he has been arrested by the police.
3. In view of the above, since the accused applicant has no apprehension of arrest and also keeping in view the fact that the in such type of cases, the accused applicant is already protected from arrest by virtue of specific provision of Section 41-A Cr.P.C. and also in view of the judgement of the Apex Court passed in **Arnesh Kumar vs. State of Bihar and another, (2014) 8 SCC 273**, there is no need to proceed further in the matter.
4. Accordingly, this application is **disposed of**.

Order Date :- 13.10.2023

Fhd