

Court No. - 73

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 9451 of 2023

Applicant :- Mustak And 2 Others

Opposite Party :- State of U.P.

Counsel for Applicant :- Chandra Bhushan Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Nalin Kumar Srivastava,J.

Learned AGA submitted the offences levelled against the applicants 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 applicants in this matter by the police, as such the applicants have no reason to believe that they have been arrested by the police.

In view of the above, since the accused applicants have no apprehension of arrest and also keeping in view the fact that the in such type of cases, the accused applicants are 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.

Accordingly, this application is **disposed of**.

Order Date :- 16.10.2023

Fhd