

Court No. - 73

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 10042 of 2023

Applicant :- Mohammad Sami Ullah Kazmi

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

Counsel for Applicant :- Udayan Nandan, Sr. Advocate

Counsel for Opposite Party :- G.A., S.M. Iqbal Hasan

Hon'ble Nalin Kumar Srivastava, J.

1. Learned counsel for the informant has affirmed this fact that the rest amount valuing Rs. 3 lakhs has been paid to him by way of a demand draft and now nothing remains due to the present applicant. He has made no objection for grant of anticipatory bail to the present applicant in this scenario till submission of police report under Section 173(2) Cr.P.C. However, learned A.G.A. has opposed.

2. It is submitted by learned counsel for the applicant that interim bail by way of interim anticipatory bail was granted to the applicant by this Court vide order dated 18.10.2022 but the said liberty has not been misused by the applicant rather on the other hand, he has paid the entire amount to the informant.

3. In the factual scenario of this case, anticipatory bail is granted till submission of police report under Section 173(2) Cr.P.C. The applicant has cooperated during that period and has not misused the liberty. Till date no charge sheet has been filed and the investigation is still going on.

3. In view of the above, the interim anticipatory bail earlier granted on 18.10.2022 by this Court is extended till filing of police report under Section 173(2) Cr.P.C. before the competent Court.

4. The application is **allowed**.

5. Parties may be at liberty to take any protection from the office of Sub-Registrar as per relevant rules.

Order Date :- 22.11.2023

Shivangi