

Court No. - 73

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 10209 of 2023

Applicant :- Sanjay Sonkar And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Ramesh Chandra Agrahari

Counsel for Opposite Party :- G.A.

Hon'ble Nalin Kumar Srivastava,J.

1. Compliance affidavit filed on behalf of the State is taken on record.
2. Present Anticipatory Bail Application has been filed with the prayer to grant anticipatory bail to the applicants - **Sanjay Sonkar** and **Ram Bahadur Sonkar** in Case Crime No.192 of 2023, under Sections 323, 504, 506, 452, 308 I.P.C., Police Station - Sarai Inayat, District - Prayagraj.
3. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the material available on record.
4. It is submitted by the learned counsel for the applicants that the applicants are innocent and have no concern with the present matter. They have been falsely implicated in this matter. Allegations levelled against the applicants are false. Applicants' case is squarely covered under Section 438 Cr.P.C. It is further submitted that if the applicants are enlarged on bail, they will not misuse the liberty. The applicants have apprehension of their arrest any time.
5. Learned A.G.A. opposed the anticipatory bail and submitted that notice under Section 41-A Cr.P.C. has been served. It is further submitted that the applicants have no apprehension of arrest, as the offence levelled against him is punishable for a maximum period of seven years of imprisonment.
6. It is to be taken into account that the offences alleged against the accused applicants are punishable for a maximum period of seven years of imprisonment. Applicants are already protected by virtue of the provision under Section 41-A Cr.P.C. and also under the law laid down by the Hon'ble Supreme Court in **Arnesh Kumar vs.**

State of Bihar and another, (2014) 8 SCC 273. The Court also takes into account the submission made by the learned A.G.A. that the accused applicants have no apprehension of arrest in this matter.

7. With the above observation, the anticipatory bail application stands **disposed of** accordingly.

Order Date :- 3.11.2023

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