

Court No. - 72

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 11084 of 2023

Applicant :- Rajesh Kumar Singh And 2 Others

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

Counsel for Applicant :- Dhirendra Bahadur Singh

Counsel for Opposite Party :- G.A.

Hon'ble Krishan Pahal,J.

1. List has been revised.
2. Heard Sri Dhirendra Bahadur Singh, learned counsel for the applicants, Sri Anit Kumar Shukla, learned A.G.A. for the State and perused the material placed on record.
3. The present application for anticipatory bail has been filed for anticipatory bail in Case Crime No.599 of 2022, under Sections 420, 467, 468, 471, 504 and 506 I.P.C., Police Station Sipri Bazar, District Jhansi, during the pendency of trial.
4. As per prosecution story, the mother of applicant nos.2 and 3 Smt. Gyankunwar is stated to have sold a land to the informant without title. Applicant no.1 is stated to be the marginal witness of the said sale deed.
5. Learned counsel for the applicants has submitted that applicant nos.2 and 3 have been falsely implicated in the present case on account of their relation with their mother Smt. Gyankunwar who has been enlarged on bail, as such the applicant is also entitled for anticipatory bail. The criminal history assigned to the applicant stands explained. Several other submissions have been made on behalf of the applicants to demonstrate the falsity of the allegations made against them. The circumstances which, as per counsel, led to the false implication of the applicants have also been touched upon at length.
6. Per contra, learned A.G.A. has vehemently opposed the anticipatory bail application on the ground that the criminal history has not been properly explained as no orders have been filed regarding the criminal history of Case Crime No.126 of 2016.
7. After hearing learned counsel for the parties and taking into consideration the fact that the criminal history of the applicant

has not been properly explained and in addition to it, he has not got the anticipatory bail application rejected in the added Section 120-B I.P.C., I do not find it a fit case for grant of anticipatory bail to the applicant.

8. The present anticipatory bail application is hereby found devoid of merits and is accordingly **rejected**.

9. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of anticipatory bail application and the said observations shall have no bearing on the merits of the case during trial.

Order Date :- 16.10.2023

Ravi Kant

(Krishan Pahal, J.)