

Court No. - 71

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 11256 of 2023

Applicant :- Pintu Alias Daroga

Opposite Party :- State of U.P.

Counsel for Applicant :- Abhishek Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Shekhar Kumar Yadav,J.

1. Heard learned counsel for the applicant, learned Additional Government Advocate for the State of U.P. and perused the record. Mr Sunil Kumar Dwivedi, learned counsel for the informant has filed vakalatnama on behalf of informant today, which is taken on record.

2. This Criminal Misc. Anticipatory Bail Application has been filed seeking anticipatory bail in Case Crime No. 386 of 2023, under Sections 341, 307, 506, 325 IPC, P.S. Jahangirabad, District Bulandshahar, during the pendency of investigation.

3. In short, allegation against the applicant is that he committed marpeet with the son of the informant on 23.07.2023 with an intention to kill him as a result of which son of the informant sustained serious injuries.

4. It is submitted that in this case applicant is innocent and has been falsely implicated by the police with ulterior motive. There is no credible evidence to connect the applicant with the crime in question. The applicant is under apprehension of imminent arrest. In case, the applicant is released on bail, he would not misuse the liberty of bail and would cooperate with the trial.

5. Learned Additional Government Advocate, has opposed the prayer for granting anticipatory bail to the applicant. It is further submitted that looking to the medical report of the victim as per which the victim sustained nine injuries including fractures, no case for bail is made out.

6. In the light of above, looking to the facts and

circumstances of this case, submissions of learned counsel for the parties as mentioned above, taking into consideration the role assigned to the applicant as per prosecution case, gravity and nature of accusation, medical report of the injured, this Court is of the view that no case for exercising its discretionary power under Section 438 Cr.P.C. is made out in favour of applicant.

7. Accordingly, this application under Section 438 Cr.P.C. is **rejected**. Applicant is directed to move regular bail application before the appropriate forum and if such application is given, the court below shall consider and disposed of the bail application expeditiously in accordance with law.

Order Date :- 31.10.2023
RavindraKSingh