

Court No. - 72

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 11668 of 2023

Applicant :- Mohd. Alim Ansari

Opposite Party :- State of U.P.

Counsel for Applicant :- Jagadish Prasad Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Krishan Pahal,J.

1. List has been revised.
2. Heard Sri Jagadish Prasad Yadav, learned counsel for the applicant and Sri V.K.S. Parmar, learned A.G.A. for the State as well as perused the record.
3. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.124 of 2023, under Sections 419, 420, 467, 468, 471, 465, 472 and 120-B IPC at Police Station- Rampur, District Jaunpur with a prayer to enlarge him on anticipatory bail.
4. As per prosecution story, several officials of the company were arrested by the police involved in filling up the gunny bags of misbranded cement on 30.06.2023.
5. Learned counsel for the applicant has stated that the applicant is simply a labourer in the said institution and has been falsely implicated in the present case. He has nothing to do with the said offence. Learned counsel has further stated that the offence committed, if any, was by the co-accused persons who have been enlarged on regular bail. Several other submissions have been made on behalf of the applicant to demonstrate the falsity of the allegations made against him. The circumstances which, as per counsel, led to the false implication of the applicant have also been touched upon at length. There are no criminal antecedents of the applicant. The applicant has apprehension of his arrest. Learned counsel for the applicant has also stated that the applicant has co-operated in the investigation and undertakes that he will cooperate in the investigation in future also failing which the State can move appropriate application for cancellation of the anticipatory bail.
6. Per contra, learned A.G.A. has vehemently opposed the anticipatory bail application but unable to dispute the

submissions raised by the learned counsel for the applicant.

7. Considering the overall facts and circumstances of the case, this Court is of the opinion that the applicant deserves to be granted anticipatory bail in connection with the aforesaid case.

8. Accordingly, the anticipatory bail application is **allowed** with following directions:-

(A) In the event of arrest of the applicant- **Mohd. Alim Ansari** involved in aforesaid case shall be released on anticipatory bail till the submission of police report, if any, under section 173(2) Cr.P.C. before the competent Court on his/her furnishing a personal bond of Rs.50,000/- with two sureties each of the like amount to the satisfaction of the Station House Officer of the police station concerned/Court concerned;

(B) The applicant shall co-operate with the Investigating Officer during investigation and shall report to the Investigating Officer as and when required for the purpose of conducting investigation;

(C) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer; and

(D) The applicant shall not leave India without the previous permission of the Court.

9. In default or misuse of any of the conditions, the Public Prosecutor/ Investigating Officer/ first informant-complainant is at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant.

Order Date :- 26.10.2023

Ravi Kant

(Krishan Pahal, J.)