

Court No. - 73

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 12524 of 2023

Applicant :- Anuj Kumar

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

Counsel for Applicant :- Sunil Kumar Upadhyay

Counsel for Opposite Party :- G.A.

Hon'ble Nalin Kumar Srivastava, J.

1. This second anticipatory bail application has been moved on behalf of the applicant **Anuj Kumar** seeking anticipatory bail in Case Crime No. 252 of 2022, under Section 395 IPC, Police Station Lodha, District Aligarh.
2. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.
3. The only ground taken in this second anticipatory bail application is that after rejection of the first anticipatory bail application no. 8171 of 2023 by this Court vide order dated 3.8.2023 the applicant was declared as a juvenile offender by the Juvenile Justice Board vide order dated 25.9.2023. It is submitted that since the applicant has been declared as a juvenile offender, he is entitled for anticipatory bail.
4. Learned AGA opposed the prayer.
5. There is no provision of law that if an accused happens to be the juvenile offender in all cases he must be granted anticipatory bail. The first anticipatory bail application of the applicant has been decided on merits by this Court and only on the ground that subsequently the applicant was declared a juvenile offender, there is no compulsion of law to grant anticipatory to such accused.
6. The application is **rejected**.

Order Date :- 16.11.2023

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