

Court No. - 71

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 13020 of 2023

Applicant :- Sanjay

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

Counsel for Applicant :- Santosh Singh

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.
2. Supplementary affidavit filed today is taken on record.
3. This Criminal Misc. Anticipatory Bail Application has been filed seeking anticipatory bail in Case Crime No. 375 of 2023, under Sections 420, 120-B, 406, 467, 468 IPC, P.S. Masuri, District Ghaziabad during the pendency of investigation.
4. It is submitted that in this case applicant is innocent and has been falsely implicated by the police with ulterior motive. It is further submitted that general role is assigned to all the accused person including the applicant. 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 applicant is having history sheets of similar offence, and there is allegation of cheating against the applicant and also misappropriation of huge money of the informant on the basis of forged documents, and therefore, 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 prosecution case, gravity and nature of accusation, 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. After arguing for some time, learned counsel for the applicant further argued that he does not want to press the relief prayed for in the present Anticipatory Bail Application and the same may be disposed of with liberty to file a regular bail application, which may be directed to be decided in accordance with law.

8. Accordingly, this application under Section 438 Cr.P.C. is **rejected**. The 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 :- 4.12.2023

RavindraKSingh