

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 13437 of 2021

Applicant :- Chandra Bhan Singh

Opposite Party :- State Of U.P. And Anr.

Counsel for Applicant :- Brij Mohan Sahai

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Brij Mohan Sahai, the learned counsel for the applicant and Sri Jayant Singh Tomar, the learned AGA-I for the State and perused the records.
2. The present anticipatory bail application has been filed on behalf of the applicant in case crime No. 0398/2021, under Sections 13(1)(b) and 13(2) of Prevention of Corruption Act, 1988, Police Station Sushant Golf City, District Lucknow, with a prayer to enlarge him on anticipatory bail.
3. The aforesaid case has been registered on the basis of an FIR lodged on 19.10.2021 alleging that the applicant has earned wealth exceeding his known sources of income.
4. In the affidavit filed in support of the application it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history. In para 14 of the affidavit the income of his wife and son has been disclosed and it has been stated that their income was not taken into consideration while assessing the applicant's wealth.
5. The applicant was granted interim anticipatory bail by means of an order dated 23.11.2021 passed by this Court.
6. The State has filed a counter affidavit but no specific reply has been given to the averments made in para 14 of the affidavit regarding income of other family members of the applicant having not been taken into consideration.
7. There is no allegation of misuse of violation of the condition of interim anticipatory bail by the applicant.
8. Having considered the aforesaid facts and circumstances of the case, I am of the view that nothing has come to light which may persuade this Court to take a view, different from the view

taken while passing the aforesaid order, nor the learned A.G.A. has pointed out violation of any of the conditions of interim anticipatory bail committed by the applicant.

9. In view of the aforesaid circumstances, the interim order dated 23.11.2021 is hereby made absolute and the application is **allowed** in terms of the aforesaid order.

10. In case the applicant has not furnished bail bonds, he may do so within a period of two weeks from today.

Order Date :- 24.11.2023

Pradeep/-