

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 1508 of 2022

Applicant :- Udai Bhan Singh

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko. And Another

Counsel for Applicant :- Rajbaksh Singh, Rachana Chauhan

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Case called out.
2. Nobody is present to press this application.
3. By means of an interim order dated 10.02.2023 interim anticipatory bail was granted to the applicant which was to remain in force till the next date of listing i.e. 20.03.2023. While granting interim anticipatory bail to the applicant, this Court had ordered notice to be issued to the opposite party no. 2. Thereafter, the case was listed on several occasions.
4. On 13.09.2023, this Court had passed an order recording that the applicant had not taken steps for issuance of notice to opposite party no. 2 in furtherance of the order dated 10.02.2023 and he was granted a week's time for taking steps but the office has reported that the learned counsel for the applicant has not taken steps in compliance of the Court's order.
5. The aforesaid conduct of the applicant indicates that he is not cooperating with the proceedings before this Court and this conduct gives rise to a reasonable apprehension that in case the applicant is granted anticipatory bail, he will not cooperate with the proceedings of the trial.
6. Section 438 (5) Cr.P.C., as it applies to the State of U.P., provides that an application for anticipatory bail shall be finally disposed of within 30 days of the date of such application.
7. The present application is pending since 09.09.2022.
8. In view of the aforesaid fact, the anticipatory bail application is ***dismissed*** for want of prosecution.

Order Date :- 18.10.2023

Pradeep/-