

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2225 of 2023

Applicant :- Dhirendra Singh @ Dhirendra Pratap Singh

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

Counsel for Applicant :- Dinesh Kr. Chaudhary

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Dinesh Kr. Chaudhary, the learned counsel for the applicant, Sri Sartaj Ali Ansari, the learned State Counsel and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in an FIR relating to Case Crime No. 1236 of 2010, under Sections 419, 420 IPC, Police Station Pachpedwa, District Balrampur.
3. The aforesaid case has been registered on the basis of an FIR lodged on 06.12.2010 stating that in inspection of a Paddy Purchase Centre made by the District Magistrate on 04.12.2010, it was found that the paddy purchase was much below the target. The FIR alleges that the centre incharge often remains absent and the applicant, who was is Secretary of the Paddy Purchase Centre, was also involved with him.
4. In the affidavit filed in support of the application, it has been contended that the applicant is innocent, he has falsely been implicated in the present case and that he has no criminal history.
5. On similar set of allegations, a disciplinary inquiry was set up against the applicant and he was exonerated of the charges in the inquiry report submitted on 12.02.2011.
6. The applicant had challenged the FIR by filing Writ Petition No. 12217 (M/B) of 2010 and his arrest was stayed by means of an interim order dated 15.12.2010. After submission of a charge sheet, the applicant had filed an application under Section 482 Cr.P.C. No. 1723 of 2011 and proceedings of the case were stayed by means of an interim order dated 15.04.2011, which remained in force till 20.02.2018.

7. Having considered the aforesaid facts and circumstances of the case, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant.

8. In view of the above, the anticipatory bail application of the applicant is ***allowed***. In the event of arrest/ appearance of applicant-***Dhirendra Singh @ Dhirendra Pratap Singh*** before the learned Trial Court in the aforesaid complaint case, he shall be released on anticipatory bail on his furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That 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 him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness.

Order Date :- 12.10.2023

Pradeep/-