

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8480 of 2023

Petitioner :- Vijay Alias Vijay Kumar Alias Vijay Kumar Yadav And Others

Respondent :- State Of U.P. Thru. Prin. Secy. Home Civil Sectt. Lko. And Others

Counsel for Petitioner :- Rajesh Kumar Awasthi

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Vakalatnama filed by Sri Manoj Kumar Singh, Advocate on behalf of opposite party no. 4 today is taken on record.

Heard learned counsel for the petitioners and learned A.G.A. who appears on behalf of State-respondents and Sri Manoj Kumar Singh, learned counsel for the opposite party no. 4.

Under challenge in this petition is the First Information Report dated 14.10.2023, lodged at Case Crime No. 376 of 2023, under Sections 323, 504, 506, 336, 308 IPC at P.S. Kaisarganj, District Bahraich.

Learned counsel for the petitioners confines his prayer for issuing direction to the police authorities to follow the mandate of Section 41A, Cr.P.C. for the reason that the offences mentioned in the impugned First Information Report carry the sentence of upto 7 years of imprisonment.

Accordingly, we **dispose of** this petition with the direction to the police authorities concerned to follow the mandate of Section 41A Cr.P.C. and also the directions issued by the Hon'ble Supreme Court in the case of **Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SCC 273.**

Order Date :- 3.11.2023

AKK