

**Court No. - 16**

**Case :-** CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438  
CR.P.C. No. - 2487 of 2023

**Applicant :-** Vijay Gupta

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

**Counsel for Applicant :-** Mukesh Kumar Tewari

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi,J.**

1. Heard Sri Mukesh Kumar Tewari, the learned counsel for the applicant, Sri Anant Pratap Singh, learned AGA for the State and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No. 125 of 2023, under Sections 419, 420, 467, 468, 471 IPC and Section 3/7 of Examination Act, 1982, Police Station Bazar Khala, District Lucknow (West).
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 27.08.2023 against the applicant and one Yogesh Singh, stating that during an examination being conducted by U.P. Subordinate Service Selection Commission for making appointments to the post of Junior Assistant, the co-accused was appearing in place of the applicant.
4. In the affidavit filed in support of the application it has been contended that the applicant is innocent and he has no criminal history.
5. Learned counsel for the applicant has submitted that co-accused Yogesh Singh has been granted bail by means of an order dated 12.10.2023 passed by the Sessions Judge, Lucknow.
6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the aforesaid facts do not warrant exercise of discretion of this Court by granting pre-arrest bail to the applicant.
7. The anticipatory bail application is **rejected** accordingly. However, in case the applicant files an application for grant of bail, the same shall be considered and decided on its merits, without being influenced by any observations made in this order.

**Order Date :-** 3.11.2023

Pradeep/-