

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 2573 of 2023

Applicant :- Chandra Vati And Another

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

Counsel for Applicant :- Yogeshwar Sharan Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Yogeshwar Sharan Srivastava, the learned counsel for the applicants as well as Sri Anurag Verma, the learned Additional Government Advocate appearing on behalf of 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.38 of 2021, under Sections 420, 467, 468, 471, 409, 120B I.P.C., 3/7 Essential Commodities Act registered at Police Station Chhapiya, District Gonda.

3. Applicant No.1 and applicant No.1 were granted anticipatory bail by this Court by means of the orders dated 14.10.2022 and 20.10.2022 passed in CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C. Nos.1698 of 2022 and 1755 of 2022 respectively, but the orders were to remain in force till filing of report under Section 173(2) Cr.P.C. Report under Section 173(2) Cr.P.C. has been filed on 03.07.2022.

4. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

5. As the applicants have already been granted anticipatory bail, considering the facts of the case that there is no allegation of violation of any condition by them, I am of the view that the aforesaid facts are

sufficient for making out a case for granting anticipatory bail to the applicants.

6. In view of the above, the anticipatory bail application of the applicants is **allowed**. In the event of arrest/ appearance of **applicants- Chandra Vati and Gudia** before the learned Trial Court in the aforesaid case crime, they shall be released on anticipatory bail on their 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 applicants shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicants 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 applicants shall not pressurize/ intimidate the prosecution witness;

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(Subhash Vidyarthi, J.)

Order Date :- 8.11.2023
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