

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2698 of 2023

Applicant :- Anshuman Tiwari

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

Counsel for Applicant :- Amrit Kumar Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Amrit Kumar Tiwari, the learned counsel for the applicant as well as Sri Anant Pratap Singh, the learned Additional Government Advocate appearing on behalf of the State and perused the records.
2. This is the second application seeking anticipatory bail for the applicant in F.I.R. bearing Case Crime No. 396 of 2022, under Sections 147, 148, 308, 324, 326, 427, 452, 504 & 506 IPC, Police Station Raunahi, District Faizabad/Adyodhya.
3. First anticipatory bail application bearing No. 1974 of 2023 was rejected by means of an order dated 05.09.2023. The second application has been filed on the ground that when the applicant had gone to donate blood on 14.09.2023, he was found HIV positive and Hepatitis B positive.
4. From the aforesaid averments made in the affidavit of the applicant itself, it appears that the applicant is not suffering from any apparent medical condition as he had himself gone to donate blood to some other person.
5. Therefore, mere pathology report indicating that the applicant is suffering from some infections will not give a rise to a ground for granting anticipatory bail to the applicant after rejection of his first application.
6. Accordingly, the second application for grant of anticipatory bail also stands **rejected**.

Order Date :- 24.11.2023

Pradeep/-