

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 2783 of 2023

Applicant :- Suraj Soni

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home Deptt. Civil
Sectt. Lko

Counsel for Applicant :- Arti Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Ms. Arti Shukla, learned counsel for the applicant as well as Sri Anurag Verma, learned A.G.A.-I for the State and perused the record.
2. The instant bail application has been filed seeking anticipatory bail in case crime No. 274/2023, under Section 386 I.P.C, registered at Police Station Amethi, District Amethi.
3. The aforesaid case has been registered on the basis of a F.I.R. lodged 17.10.2023, alleging that extortion was made by the applicant from the informant.
4. The applicant's involvement in 16 other cases has been disclosed in para 13 of the affidavit, which relates to various offences, including the offences under Section U.P. Control of Gundas Act, 1970 and Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act, 1986 and offences under Sections 308 and 307 I.P.C.
5. Although the applicant's involvement in 16 other cases of various nature, including some offenses of heinous natures has been disclosed in the affidavit, at the same time, the applicant has stated that "the applicant is law abiding and cultured citizen and has never been involved in any controversy whatsoever."
6. Opposing the anticipatory bail, the learned A.G.A has submitted that the applicant is a history-sheeter, against whom a history sheet No. 72A is being maintained in Police station, Amethi.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is a history-sheeter and the offences alleged carries a maximum punishment of imprisonment upto 10 years, I am of the view that the aforesaid facts do not warrant exercise of discretion of this Court by granting pre arrest bail to the applicant.

8. The bail anticipatory application stands **rejected** accordingly

(Subhash Vidyarthi,J.)

Order Date :- 5.12.2023
Preeti.