

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2829 of 2023

Applicant :- Ram Kumar

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

Counsel for Applicant :- Santosh Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Santosh Kumar Srivastava, 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. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No.493 of 2020, under Sections 419, 420, 468, 466, 467, 504, 506, 323, 471, 120-B I.P.C., registered at Police Station Kotwali Akbarpur, District Ambedkar Nagar.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 02.10.2020 against six persons, including the applicant alleging that the applicant has executed a sale deed and some agreements to sell the informant's properties. The F.I.R. was lodged on 02.10.2020 and the applicant has approached this court seeking anticipatory bail on 07.12.2023. The delay of more than three years in filing the anticipatory bail has not been explained in the affidavit filed in support of the bail application.

4. The learned A.G.A. has opposed the prayer for bail and has submitted that a charge sheet has been filed against a co-

accused Ganga Ram on 17.09.2023 and the investigation against the applicant could not be concluded due to his non-cooperation.

5. Having considered the aforesaid facts and circumstances of the case and keeping in view the aforesaid conduct of the applicant, I am of the view that the applicant does not deserve discretion of this court by granting him pre-arrest bail.

6. The anticipatory bail application is accordingly **rejected**.

7. However, in case the applicant moves an application for bail, the same shall be considered and decided in accordance with law by the court concerned without being influenced by any observation made by this court in this order.

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(Subhash Vidyarthi, J.)

Order Date :- 11.12.2023
Ram.