

**Court No. - 16**

**Case :-** CRIMINAL MISC ANTICIPATORY BAIL  
APPLICATION U/S 438 CR.P.C. No. - 2828 of 2023

**Applicant :-** Yuddhveer

**Opposite Party :-** State Of U.P. Thru. Prin. Secy. Deptt. Home,  
Lucknow

**Counsel for Applicant :-** Dharmendra Pratap Singh

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

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

1. Heard Sri Dharmendra Pratap Singh, 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.0184 of 2016, under Sections 3/7 of Essential Commodities Act, 1955, registered at Police Station Maholi, District Sitapur.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 29.05.2016 stating that during a checking conducted in the applicant's fair price shop on 27.05.2016 a shortage of about 520 liters of kerosene oil was found in his shop. No illegality or irregularity was found regarding other commodities in the applicant's shop.

4. In the affidavit filed in support of the anticipatory bail-application it has been contended that the applicant is a 68 years old innocent person, he has no criminal history and he has falsely been implicated in the present case. A supplementary affidavit has been filed by the applicant stating that he has been implicated because of an old animosity with the village Pradhan.

5. The learned A.G.A. has opposed the prayer for bail but he

could not dispute the aforesaid aspects of the matter.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is a 68 years old person having no criminal history and the offence alleged carries a maximum punishment of imprisonment up to seven years and without making any observations which may affect the outcome of the case, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant.

7. In view of the above, the anticipatory bail application of the applicant is **allowed**. In the event of arrest/ appearance of **applicant-Yuddhveer** before the learned Trial Court in the aforesaid case crime, he shall be released on anticipatory bail on his 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 applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

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

**Order Date :- 11.12.2023**  
Ram.