

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2997 of 2023

Applicant :- Junaid Ahmad

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

Counsel for Applicant :- Amar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Amar Singh learned counsel for the applicant, Sri Anurag Verma learned A.G.A-Ist and Sri Vivek Pandey learned counsel for the informant.

2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No.0323 of 2021, under Sections 419, 420, 467, 468, 471, I.P.C., registered at Police Station Wazirganj, District Gonda.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 19.09.2021 against four persons, not including the applicant and unknown officials of revenue department, stating that the named accused persons had got fake domicile certificate, Aadhaar card and other documents issued and some more documents were got issued on the basis of those fake documents. The name of accused persons was entered in the Pariwar register on the basis of fake documents. The applicant was posted as Lekhpal and it is alleged that the false entry was made in the Pariwar register on the basis of his report. The applicant had earlier filed Criminal Misc. Writ Petition no.6744 of 2023 (Juned Ahmad vs State of U.P and ors) which has been dismissed by means of the order dated 29.11.2023.

4. It has been stated that in the affidavit filed in support of the application that the applicant is of 61 years old retired Government servant having no criminal history and he is entitled to be granted anticipatory bail.

5. Learned counsel for the applicant submitted that co-accused persons Anurag Tiwari, Navneet Tiwari and Meera Devi have been granted protection from arrest by means of the interim order dated 12.11.2021 passed by this Court in Misc. Bench no.26304 of 2021. However, protection has come after submission of chargesheet.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the allegation against the applicant is of having misused his official position who submitted fake reports on the basis whereof, the accused persons got their names entered in domicile certificate, I am of the view that the applicant is not entitled for anticipatory bail.

7. Accordingly, the anticipatory bail application is **rejected**.

(Subhash Vidyarthi, J.)

Order Date :- 21.12.2023

Harshita