

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 3052 of 2023

Applicant :- Brahmaddutt

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

Counsel for Applicant :- Gaurav Shukla

Counsel for Opposite Party :- G.A.,Rajneesh Tiwari

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Gaurav Shukla, the learned counsel for the applicant, Sri Anurag Verma, learned A.G.A.-I appearing on behalf of the State and Sri Rajneesh Tiwari, the learned counsel for the informant 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. 302 of 2023, under Sections 419, 420, 467, 468, 471, 506 I.P.C., registered at Police Station Dhanepur, District Gonda.

3. The learned A.G.A.-I has raised a preliminary objection that the applicant and his wife-Anjani Devi (co-accused) had filed Criminal Misc. Writ Petition No. 7471 of 2023 and they have filed an application for stay of their arrest in that writ petition, which is pending consideration of a Division Bench of this court.

4. During pendency of the said application, the applicant's wife Anjani Devi has filed an application for anticipatory bail application No. 2677 of 2023, which was rejected after observing that the application seeking stay of arrest of the aforesaid co-accused was pending consideration for the Division Bench.

5. Subsequent to rejection of the anticipatory bail application

for the applicant's wife-Anjani Devi (co-accused), the applicant filed a application in the writ petition whereby he withdrew the application for interim relief and the application for interim relief has accordingly been dismissed as withdrawn by means of an order dated 20.12.2023. Notice of this application had been given on 19.20.2023 i.e during pendency of the application for interim relief regarding stay of the applicant's arrest.

6. Confronted with this objection, the learned counsel for the applicant stated that the instant application may be dismissed as not pressed.

7. Accordingly the instant application is **dismissed as not pressed.**

(Subhash Vidyarthi,J.)

Order Date :- 22.12.2023
Preeti.