

Court No. - 16

Case :- CRIMINAL APPEAL No. - 3852 of 2024

Appellant :- Ankesh Shukla @ Anikesh @ Gore Pandit

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

Counsel for Appellant :- Anurag Singh

Counsel for Respondent :- G.A.

Hon'ble Karunesh Singh Pawar,J.

As per the instructions of learned A.G.A. notice to the complainant has been served, however none appears for the complainant.

Heard learned counsel for the applicant and learned A.G.A. for respondent State.

The present criminal appeal under Section 14-(A)2 of the SC/ST Act against the impugned judgement and order dated 18.11.2024 passed by Special Judge, (S.C./S.T. Act), Sitapur, in Case Crime No.463 of 2024 under Section 109 BNS and under Section 3(2)5 of SC/ST Act, Police Station Maholi Sitapur.

Learned counsel for the appellant submits that in the First Information Report only three persons were named and the applicant was not named. The injured was the complainant. While giving statement the name of the applicant has been taken by the complainant. He submits that it is a case of false implication.

Learned A.G.A. has opposed the bail prayer of the appellant and submitted that there is a fire arm injury on the right arm of the injured. The injured witness in his statement has alleged the complicity of the applicant.

Perused the record so also the injury report of the injured. From perusal of the statement of the injured witness prima facie complicity of the applicant has been alleged, which cannot be overlooked.

On due consideration to the gravity of offence, injury report and the statement of the injured, no case for anticipatory bail is made out, hence the criminal appeal is dismissed.

Order Date :- 18.12.2024

Madhu D.R/P.S