

Court No. - 15

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2786 of 2024

Applicant :- Akhilesh

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

Counsel for Applicant :- Rajat Pratap Singh, Surya Deep

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh, J.

Heard learned counsel for the applicant, learned AGA for the State and perused the record.

The instant anticipatory bail application has been filed on behalf of the applicant with the prayer to release him on anticipatory bail in Case Crime No.218 of 2013, under Section 364 I.P.C., Police Station Madhoganj, District Hardoi.

From perusal of the F.I.R. as well as the record, it transpires that allegation against the applicant is of kidnapping the victim and the victim has still not been recovered. The fact remains that non-bailable warrant has been issued against the applicant and subsequently, the proclamation under Section 82 Cr.P.C. has also been issued. The matter is covered by ratio of Apex Court's Judgment in the case of **Srikant Upadhyay Vs. State of Bihar and others, reported in 2024 SCC Online SC 282.**

Learned counsel for the applicant has failed to satisfactorily substantiate that the applicant would not tamper the evidences and would not threaten the witnesses. Apprehension of arrest has also been denied.

Considering the complicity of the accused and the gravity of offence, this Court do not find any good ground to intervene in this matter.

Consequently, the instant anticipatory bail application is hereby **dismissed.**

Consigned to records.

Order Date :- 19.12.2024

Ram Murti