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**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

**BEFORE
HON'BLE SHRI JUSTICE SANJEEV S KALGAONKAR**

ON THE 8th OF JANUARY, 2024

MISCELLANEOUS CRIMINAL CASE No. 215 of 2024

BETWEEN:-

1. **KANHA @ KANHEYA YADAV S/O SHRI GOVIND SINGH YADAV, AGED ABOUT 26 YEARS, OCCUPATION DRIVER, RESIDENT OF KATRA MOHALLA MOW DISTRICT BHIND AT PRESENT RISING CITY BADAGAON MURAR DISTRICT GWALIOR (MADHYA PRADESH)**
2. **RAJESH YADAV S/O SHRI KOK SINGH, AGED ABOUT 35 YEARS, OCCUPATION: KARSHI, RESIDENT OF GRAM BADAGAON DISTRICT GWALIOR (MADHYA PRADESH)**

.....APPLICANTS

(SHRI PRADEEP KATARE - ADVOCATE FOR THE APPLICANTS)

AND

THE STATE OF MADHYA PRADESH INCHARGE POLICE STATION THROUGH POLICE STATION MURAR DISTRICT GWALIOR (MADHYA PRADESH)

.....RESPONDENT

(SHRI PRAMOD KUMAR PACHORI - PUBLIC PROSECUTOR FOR THE RESPONDENT-STATE)

.....

This application coming on for HEARING this day, the court passed the following:

ORDER

This first bail application has been filed by the applicants under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No. 963/2023 registered at Police Station Morar, District Gwalior (M.P.) for the

offence punishable under Sections 353, 186, 341, 506 and 34 of the IPC.

Learned counsel for the applicants requests to withdraw this application. He further requests that a direction may be issued to the Investigation Officer to comply with the directions of the Supreme Court in cases of **Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273**, **Satender Kumar Antil Vs. Central Bureau of investigation (2022) 10 SCC 51** and **Notification No. A/5666/III-2-9/40 Pt-I F.No.15 dated 20/09/2023 issued by Hon'ble High Court of Madhya Pradesh, Jabalpur.**

Request accepted.

This application is dismissed as withdrawn with the direction that the Investigation Officer shall ensure due compliance with the guidelines and directions laid down in cases of **Arnesh Kumar and Satender Kumar Antil (Supra)** as well as in the light of aforesaid notification issued by High Court of Madhya Pradesh.

C.C. as per rules.

(SANJEEV S KALGAONKAR)
JUDGE

Prachi