

**Court No. - 73**

**Case :- CRIMINAL MISC ANTICIPATORY BAIL  
APPLICATION U/S 438 CR.P.C. No. - 799 of 2021**

**Applicant :- Rajendra @ Bhola**

**Opposite Party :- State of U.P. and Another**

**Counsel for Applicant :- Pradeep Kumar**

**Counsel for Opposite Party :- G.A.**

**Hon'ble Siddharth,J.**

Heard learned counsel for the applicant and learned AGA for the State.

Learned A.G.A. has submitted that although advance notice of this application was served in the office of Government Advocate, but he has not received instructions.

Learned counsel for the applicant has objected and submitted that notice period as per Chapter XVIII, Rule 18 of the High Court Rules has expired and there is no justification for granting further time to the learned A.G.A.

He has submitted that during the time granted to obtain instructions to the learned AGA, the applicant will definitely be arrested and the purpose of filing this application would be frustrated. Even if, applicant is not arrested, he will have to stay away from his house due to apprehension of arrest at the behest of informant by the police.

Learned A.G.A. is granted two weeks' further time to obtain instructions.

Put up this case as a fresh case on 10.02.2021.

In the meantime, learned AGA may also file counter affidavit.

In the event of arrest, the applicant, **Rajendra @ Bhola**, shall be released on interim anticipatory bail in **Case Crime No. 135 of 2020, under Sections 110, 7(1)(C), 113-B Custom Duty Act and 11 Prevention of Cruelty to Animal Act and 307, 427 IPC and 3/5-A/8 Cow Slaughter Act, Police Station Thoothibari, District Maharajganj**, on his furnishing a personal bond of Rs.50,000/- with two sureties each in the like amount to

the satisfaction of the Station House Officer of the police station/ court concerned with the following conditions:-

- (i) The applicant shall make himself available for interrogation by the police officer as and when required;
- (ii) The applicant shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade from disclosing such facts to the Court or to any police officer;
- (iii) The applicant shall not leave India without the previous permission of the Court and if he has passport, the same shall be deposited by him before the S.S.P./S.P. concerned.
- (iv) The party shall file computer generated copy of such order downloaded from the official website of High Court Allahabad.
- (v) The concerned Court/Authority/Official shall verify the authenticity of such computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing.

In default of any of the conditions, the Investigating Officer/Govt. Advocate is at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant.

The Investigating Officer will continue with the investigation and will not be affected by this order.

The applicant is directed to produce a copy of this order downloaded from the official website of this Court before the S.S.P./S.P. concerned within ten days from today, if investigation is in progress who shall ensure the compliance of present order.

**Order Date :- 19.1.2021**  
Ruchi Agrahari