

**Court No. - 19**

**Case :-** CRIMINAL MISC. BAIL CANCELLATION APPLICATION No. - 120 of 2024

**Applicant :-** Rabiya

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

**Counsel for Applicant :-** Narendra Gupta, Mohammad Salim Khan

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

**Hon'ble Subhash Vidyarthi, J.**

1. Heard Shri Dharmendra Kumar Gupta, Advocate holding brief of Shri Narendra Gupta, learned counsel for the applicant and Shri Abhishek Kumar Singh, learned State Counsel.

2. This is an application for cancellation of an order dated 10.08.2023 passed by this Court in Criminal Misc. Anticipatory Bail Application No.1770 of 2023, whereby the opposite party No.2 has been granted anticipatory bail.

3. Cancellation of the aforesaid order has been sought on the ground that subsequent to grant of anticipatory bail, on 09.03.2024, the applicant has lodged another FIR against the opposite party No.2 alleging that the applicant forcibly entered her house in the night of 11.12.2023 and threatened and raped her. However, the applicant has not been medically examined and there is no material to prima facie support the aforesaid allegation levelled by her.

4. The Court has observed a trend nowadays that after grant of anticipatory bail/bail, the informants' lodge fresh FIRs/Complaints to create a ground for cancellation of anticipatory bail/bail. The lodging of FIR containing serious allegation of rape, which is not supported by any evidence, including a medical evidence, prima facie indicates that the FIR has been lodged by the applicant to create a ground for cancellation of anticipatory bail only.

5. This Court finds no good ground to entertain the application for cancellation of anticipatory bail.

6. Accordingly, the application for cancellation of an order dated 10.08.2023 passed by this Court in Criminal Misc. Anticipatory Bail Application No.1770 of 2023 is hereby **rejected**.

**[Subhash Vidyarthi, J.]**

**Order Date :-** 5.9.2024/-Amit K-