

Court No. - 91

Case :- APPLICATION U/S 482 No. - 32926 of 2023

Applicant :- Abhishek Mishra @ Banti And 2 Others

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

Counsel for Applicant :- Akhilesh Kumar Pandey, Mohan Singh

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar, J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.
2. This application under Section 482 Cr.P.C. has been filed by the applicants with the prayer to quash the charge sheet dated 28.11.2022 and cognizance order dated 23.02.2023 as well as entire proceeding of Criminal Case No.4469 of 2023, arising out of Case Crime No.317 of 2022, under Sections 325, 308 IPC, Police Station Walter Ganj, District Basti.
3. After arguing the matter at some length, learned counsel for the applicants prays for withdrawal of this application with liberty to the applicants to file bail application before the court of competent jurisdiction.
4. Learned A.G.A. has no objection to such request.
5. In view of the above, the instant application is disposed of with liberty to the applicants to appear before court concerned and file appropriate application for bail, which shall be decided in the light of the judgment of the Hon'ble Supreme Court in ***Satender Kumar Antil v. Central Bureau of Investigation and another, Special Leave to Appeal (Crl.) No (s) 5191 of 2021***, decided on 07.10.2021.

Order Date :- 26.10.2023

Ashutosh