

Court No. - 71

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 10289 of 2023

Applicant :- Bijendra

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

Counsel for Applicant :- Vinay Singh, Atul Tej Kulshrestha

Counsel for Opposite Party :- G.A., Satyendra Vishwakarma

Hon'ble Shekhar Kumar Yadav, J.

1. Heard learned counsel for the applicant and Sri Satyendra Vishwakarma, learned counsel for the opposite party no. 2 as well as learned A.G.A. for the State and perused the material available on record.

2. This Criminal Misc. Anticipatory Bail Application has been filed under Section 438 Cr.P.C by the applicant with the prayer to grant the anticipatory bail with a direction that in the event of arrest in pursuance of Case Crime No. 424 of 2023, under Sections 147, 148, 149, 323, 352, 325, 452, 504, 506, 308 IPC P.S. Kosikalan, District Mathura.

3. During arguments, learned counsel for the applicant has submitted that he does not want to press the prayer for grant of anticipatory bail in the above mentioned case. His sole prayer is that a direction may be issued to the court below to decide the bail application of the applicant in view of the judgment in the case **Satender Kumar Antil vs. Central Bureau of Investigation and another, 2021 SCC Online SC 922.**

4. Considering the facts and circumstances of the case, the present application is disposed of with the direction that in case the applicant filed bail application before the court below, the same shall be heard and disposed of expeditiously by the court below in view of the settled law laid by this Court in the case of **Satender Kumar Antil (Supra).**

5. With the above observations, this application u/s 438 Cr.P.C. is disposed of finally.

Order Date :- 2.11.2023/A.