

**Court No. - 69**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 41912 of 2023

**Applicant :-** Kismbhar

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

**Counsel for Applicant :-** Amit Rai

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

**Hon'ble Samit Gopal,J.**

1. List revised.
2. Sri Amit Rai, learned counsel for the applicant and Sri Bade Lal Bind, learned counsel for the State are present.
3. Learned counsel for the State states that he has received instructions in the matter for which he had sought time on 27.09.2023.
4. The first information report in the matter was lodged on 06.03.2018 subsequent to which the applicant filed a petition being Criminal Misc. Writ Petition 9089 of 2018 (Kismbhar vs. State of U.P. and 2 others) before this Court which stood disposed of by Division Bench of this Court vide order dated 11.04.2018, the copy of which is annexed as Annexure-8 to the affidavit. The applicant was thus in the knowledge of a case against him. He then surrendered on 01.08.2023 which is after about 05 years & 05 months of the disposal of his writ petition. There is no disclosure and explanation given for period of 05 years & 05 months by the applicant of his abscondance.
5. Learned counsel for the applicant states that the present bail application be dismissed as not pressed as he intends to file a better bail application.
6. As prayed, the present bail application is dismissed as not pressed.

**Order Date :-** 26.10.2023

AS Rathore

(Samit Gopal,J.)