Court No. - 71

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C. No. - 11087 of 2023

Applicant :- Shivraj
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Rajesh Kumar Srivastava,Jai Prakash Rao
Counsel for Opposite Party :- G.A.

Hon'ble Shekhar Kumar Yadav,J.

1.Heard learned counsel for the applicant, 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. 51 of 2023, under Sections 279, 338, 379 IPC P.S. Linepar, District Firozabad.

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 :- 17.10.2023/A.

Digitally signed by :-
AFAQ AHMAD
High Court of Judicature at Allahabad