

Court No. - 71

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 11277 of 2023

Applicant :- Nagendra Pratap Singh And 2 Others

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Pradeep Kumar Keshri, Hemant Kumar

Counsel for Opposite Party :- G.A., Ashutosh Kumar Pandey

Hon'ble Shekhar Kumar Yadav, J.

1. Heard Sri Pradeep Kumar Keshri, learned counsel for the applicants, Sri Ashutosh Kumar Pandey, learned counsel for the informant and learned A.G.A as well as perused the material available on record.

2. This anticipatory bail application (under section 438 Cr.P.C.) has been moved seeking bail in Case No.500 of 2018 (State Vs. Nagendra Pratap Singh) (Old Case No. 435 of 2001) arising out of Case Crime No.55 of 2000, under Sections 406, 504, 506, 500 I.P.C. and Section 3/4 of D.P. Act, P.S.- Sakaldiha, District- Chandauli.

3. After arguing for some time, applicant's counsel submits that he does not want to press the prayer for release of the applicant on anticipatory bail. 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 judgement in the case of **Satender Kumar Antil vs. Central Bureau of Investigation and another, reported in 2021 SCC Online SC 922.**

4. Learned A.G.A. as well as learned counsel for the informant have no objection to the prayer made by the learned counsel for the applicant.

5. In view of the above, considering the aforesaid alternative prayer made by learned counsel for the applicant, the present anticipatory bail 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 down by the Apex court in the case of **Satender Kumar Antil (supra)**.

6. With the above observations and directions, this application is disposed of.

Order Date :- 20.11.2023

Krishna*