

Court No. - 72

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C. No. - 11124 of 2023

Applicant :- Jasram And 3 Others

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

Counsel for Applicant :- Amit Rai, Ram Kumar Dubey

Counsel for Opposite Party :- G.A., Birendra Kumar Gautam

Hon'ble Krishan Pahal, J.

1. List has been revised.
2. Heard Sri Ram Kumar Dubey, learned counsel for applicants and Sri Birendra Kumar Gautam, learned counsel for the informant as well as Sri Anit Kumar Shukla, learned Additional Government Advocate for State.
3. Learned counsel for the applicant has stated that applicant no.4- Krishna Gopal Garg has been arrested, as such the present anticipatory bail application has been rendered infructuous qua applicant no.4.
4. The present anticipatory bail application qua applicant no.4 is **dismissed** as infructuous.
5. The present anticipatory bail application is being decided with respect to applicant nos.1, 2 and 3, namely, Jasram, Bhushan and Jitendra.
6. The present application for anticipatory bail has been filed on behalf of applicants for protection in regard to Case Crime No.380 of 2023, under Sections 147, 148, 323, 324, 452, 307 and 354-B I.P.C., P.S. Dhampur, District Bijnor.
7. After arguing for some time, applicants' counsel submits that the present application for anticipatory bail may be disposed of with a direction to file a regular bail application which may be decided keeping in view the guidelines as laid down by the Apex Court in the case of **Satender Kumar Antil vs. Central Bureau of Investigation and another** reported in **2022 SCC OnLine SC 825**.
8. Learned A.G.A. and learned counsel for the informant have no objection to the prayer of learned counsel for the applicants.
9. After hearing learned counsel for the parties, no case is made out for interference U/s 438 Cr.P.C. The present anticipatory bail application is **disposed of** with a direction that the applicants shall surrender before the concerned court within one month from today and in case a regular bail application is filed, the same be decided in view of the law laid down by the Supreme Court in case of **Satender Kumar Antil (supra)**.
10. For the period of one month from today or till the time of surrender of the applicants before the concerned court, whichever is earlier, no coercive action shall be taken against the applicants, in the above case.

Order Date :- 08.12.2023

Ravi Kant

(Krishan Pahal, J.)