

Court No. - 93

Case :- APPLICATION U/S 482 No. - 38003 of 2023

Applicant :- Ram Khelawan Patel @ Triyugi Nath

Opposite Party :- State of U.P.

Counsel for Applicant :- Zaid Arshad

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Zaid Arshad, learned counsel for the applicant and Sri Ramesh Kumar, learned AGA for the State.

2. Present application under Section 482 Cr.P.C. has been filed for quashing the impugned N.B.W. against the applicant order dated 12.04.2018 in S.T. No.870/2010 arising out of Case Crime No.178/1995, under Sections 323, 504 I.P.C. & 3(1)(X) SC/ST Act, Police Station Mauaiama, District Allahabad, pending in the Court of Additional District Judge-14, Allahabad.

3. Contention of learned counsel for the applicant is that applicant wants to surrender and apply for bail if the impugned N.B.W. is stayed.

4. Considering the aforesaid submission, it is provided that if the applicant appear before the court below within a period of three weeks from today and apply for bail, then his bail application shall be considered in the light of the law laid down by the Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation**, reported in **2021 (10) SCC 773**.

5. For a period of four weeks and till the disposal of the application of the applicant, no coercive action shall be taken against the applicant in Sessions Trial No.870/2010 arising out of Case Crime No.178/1995, under Sections 323, 504 I.P.C. & 3(1)(X) SC/ST Act, Police Station Mauaiama, District Allahabad, pending in the Court of Additional District Judge-14, Allahabad.

6. It is made clear that no further time will be granted if the applicants failed to appear before the court below.

7. With the aforesaid observations, present application is **disposed of.**

Order Date :- 31.10.2023

A.N. Mishra