

Court No. - 71

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 11187 of 2023

Applicant :- Rajesh Sonker

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Pramod Pathak

Counsel for Opposite Party :- G.A.

Hon'ble Shekhar Kumar Yadav,J.

1. Heard learned counsel for applicant, learned A.G.A. for State and also perused the material available on record.

2. The present application for anticipatory bail has been filed by the applicant for protection in regard to **Case Crime No.154 of 2023, under Section 60/63 U.P. Excise Act, P.S.- Saiyadraja, District- Chandauli.**

3. During arguments, learned counsel for the applicant has submitted that since all the offences are punishable below seven years, 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. Learned A.G.A. has 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 :- 18.10.2023 // Krishna*