

Court No. - 84

Case :- CRIMINAL APPEAL No. - 10304 of 2023

Appellant :- Nitesh Sahani And Another

Respondent :- State of U.P. and Another

Counsel for Appellant :- Manoj Kumar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sadhna Rani (Thakur),J.

Heard learned counsel for the appellants and learned A.G.A. for the State-respondent and perused the record.

This criminal appeal has been preferred against the cognizance and summoning order dated 23.3.2023 passed by Additional District and Sessions Judge/ Special Judge SC/ST Act, Gorakhpur, Sessions Case No. 716 of 2023, Case Crime No. 170 of 2022, under sections 341, 323, 504, 506, 308 I.P.C. and section 3(1)(da) and 3(1)(dha) of SC/ST Act, police station Belipar District Gorakhpur.

In the Court, learned counsel for the appellants only submitted that some direction be issued to the Court concerned regarding bail as they want to surrender before the trial court.

The appeal is, therefore, disposed of with the direction to the trial court that if the appellants appear before the trial court within 3 weeks from today and move an application before the trial court, the same shall be disposed of as soon as possible in view of the law laid down in **Satender Kumar Antil Vs. Central Bureau of Investigation and another, (2021) 10 SCC 773.**

Order Date :- 13.10.2023

Gss