Court No. - 72

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C. No. - 11541 of 2023

Applicant :- Tarkeshwar Rai
Opposite Party :- State of U.P.
Counsel for Applicant :- Shivang Garg,Uday Shankar Tiwari
Counsel for Opposite Party :- G.A.,Ashish Kumar Gupta

Hon'ble Krishan Pahal,J.

1. List has been revised.

2. Heard Sri Uday Shankar Tiwari, learned counsel for applicant and Sri Ashish Kumar Gupta, learned counsel for the informant as well as Sri V.K.S. Parmar, learned Additional Government Advocate for State.

3. The present application for anticipatory bail has been filed for protection in regard to Case Crime No.201 of 2015, under Sections 406, 504 and 506 I.P.C., P.S. Phoolpur, District Varanasi.

4. After arguing for some time, applicant's 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**.

5. Learned A.G.A. has no objection to the prayer of learned counsel for the applicant.

6. 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 applicant 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)**.

7. For the period of one month from today or till the time of surrender of the applicant before the concerned court, whichever is earlier, no coercive action shall be taken against the applicant, in the above case.

Order Date :- 18.10.2023
Ravi Kant

(Krishan Pahal, J.)

Digitally signed by :-
RAVI KANT
High Court of Judicature at Allahabad