

Court No. - 85

Case :- CRIMINAL APPEAL No. - 10867 of 2023

Appellant :- Gautam Yadav And Another

Respondent :- State of U.P. and Another

Counsel for Appellant :- Jaysingh Yadav, Anju Yadav

Counsel for Respondent :- G.A.

Hon'ble Mayank Kumar Jain, J.

Heard learned counsel for the appellants and learned A.G.A. for the State. Heard learned counsel for the appellants and learned A.G.A. for the State.

After advancing his arguments at some length, learned counsel for the appellants gave up his challenge to the impugned order dated 22.09.2023 whereby the non-bailable warrants have been issued against the appellants, charge sheet dated 11.04.2023 as well as summoning order dated 05.09.2023 and made a prayer that a direction be issued to the courts below to consider and decide the bail application of the appellants in view of law laid down by the Supreme Court in ***Satender Kumar Antil Vs. Central Bureau of Investigation and another*** passed in ***Special Leave to Appeal (Crl.) No(s). 5191 of 2021*** on 07.10.2021 and decide it in accordance with law. He further submitted at the Bar that he is not pressing any other prayer made in the appeal.

In view of above, relief as prayed in the appeal is refused. The criminal appeal is **dismissed**.

However, considering the prayer made by learned counsel for the appellants, it is directed that in case the appellants surrender before the court below within one month from today and prefer bail application, it will decide the said bail application, as expeditiously as possible taking into account the law laid down by the Supreme Court in ***Satender Kumar Antil Vs. Central Bureau of Investigation and another*** passed in ***Special Leave to Appeal (Crl.) No(s). 5191 of 2021*** on 07.10.2021 in accordance with law.

Order Date :- 2.11.2023

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