

Court No. - 72

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S
438 CR.P.C. No. - 12295 of 2023

Applicant :- Sadan Swarnakar @ Avadh Bihari Swarnakar And 3 Others

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

Counsel for Applicant :- Ashish Pandey, Nikil Pathak

Counsel for Opposite Party :- G.A., Shiva Tripathi, Sunil Kumar Mishra

Hon'ble Krishan Pahal, J.

1. List has been revised.
2. Heard Sri Nikhil Pathak, learned counsel for applicants and Sri Shiva Tripathi, learned counsel for the informant as well as Sri Sunil Kumar, learned Additional Government Advocate for State.
3. The present application for anticipatory bail has been filed for protection in regard to Case Crime No.241 of 2023, under Sections 147, 149, 323, 504, 506, 336, 326-A and 427 I.P.C., P.S. Sarai Inayat, District Prayagraj.
4. After arguing for some time, applicants' 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. and learned counsel for the informant have no objection to the prayer of learned counsel for the applicants.
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 applicants 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 applicants before the concerned court, whichever is earlier, no coercive action shall be taken against the applicants- Sadan Swarnakar @ Avadh Bihari Swarnakar, Shyam Swarnakar @ Shyam Bihari Swarnakar, Sajan Swarnakar @ Ajirr Swarnakar and Prince Swarnakar @ Ashwani Kumar Soni, in the above case.

Order Date :- 23.11.2023

Ravi Kant

(Krishan Pahal, J.)