

Court No. - 71

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 13030 of 2023

Applicant :- Sunil Kumar And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Kiran Tiwari, Mahesh Chandra Tiwari

Counsel for Opposite Party :- G.A., Brijesh Kumar Srivastava

Hon'ble Shekhar Kumar Yadav, J.

1. Heard learned counsel for the applicants and learned counsel for the informant as well as learned A.G.A. for the State and also perused the record.
2. The present application for anticipatory bail has been filed for protection in regard to FIR/Case Crime No. 112 of 2021, under Sections 147, 323, 308, 504, 506 of I.P.C., P.S.- Kheragadh, District- Agra.
3. After arguing for some time, applicants' counsel submits that the present application for anticipatory bail may be disposed of with liberty 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.
4. Learned counsel for the informant as well as learned AGA have no objection to the prayer made by the learned counsel for the applicants.
5. 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 the direction that the applicants shall surrender before the court concerned within four weeks 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 the case of Satender Kumar Antil (supra).
6. For the period of four weeks from today or till the time of surrender of the applicants before the court concerned, whichever is earlier, no coercive action shall be taken against the applicants, Sunil Kumar and Anil Kumar, in the above case.

Order Date :- 4.12.2023

RavindraKSingh