

Court No. - 86

Case :- APPLICATION U/S 482 No. - 43607 of 2023

Applicant :- Surendra

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

Counsel for Applicant :- Rayoof Ali, Sudhir Kumar Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta, J.

1. Heard Sri Jitendra Singh Patel holding brief of Sri Rayoof Ali, learned counsel for the applicant, learned A.G.A. for the State and perused the record.

2. This application under Section 482 Cr.P.C. has been filed with the prayer to quash the bailable warrant order dated 20.5.2017 passed by the Chief Judicial Magistrate, Sant Kabir Nagar in Case No. 1238 of 2012 (State Vs. Surendra) arising out of case crime No. 312 of 2011, under Sections 279, 304A IPC, Police Station- Mahuli, District- Sant Kabir Nagar, pending in the court of Chief Judicial Magistrate, Sant Kabir Nagar.

3. After some arguments, learned counsel for the applicant has made a statement at the Bar, on instructions, that he does not want to press other prayers made in the instant application and states that the applicant is ready to appear before the court below and seek his bail and that his release be considered in view of law laid down by Hon'ble Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and another reported in (2022) 10 SCC 51**.

4. Per contra, learned AGA states that he has no objection to the aforesaid prayer made by learned counsel for the applicant for not pressing the other prayers made in the instant application.

5. In view of the above, in case the applicant appears before the court below within three weeks from today and seeks bail, his release be considered in view of law laid down by Hon'ble Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and another reported in (2022) 10 SCC 51**.

6. With the aforesaid observations, this application under Section 482 Cr.P.C. is finally disposed off.

Order Date :- 29.11.2023

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