

Court No. - 9

Case :- APPLICATION U/S 482 No. - 6070 of 2023

Applicant :- Kamta Prasad Yadav

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt.
Lko. And Another

Counsel for Applicant :- Dilip Kumar Singh Chauhan

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Kumar Singh,J.

1. Heard learned counsel for the petitioner as well as learned Additional Government Advocate, representing respondent no. 1-State, and gone through the record.

2. By way of this petition under Section 482 CrPC, the petitioner has prayed for quashing of the proceedings of Criminal Case No.1331 of 2018 (State Vs. Kamta Prasad Yadav), arising out of FIR No.0020 of 2018, under Section 3/5 Prevention of Damages to Public Property Act, 1984 lodged at Police Station Tikait Nagar, District Barabanki, pending in the Court of learned Additional Chief Judicial Magistrate, Court No. 25, Barabanki, including the order dated 17.04.2018 by means of which the petitioner has been summoned to face trial.

3. Learned counsel for the petitioner submits that the petitioner wants to surrender and apply for regular bail. Only prayer is that while considering the bail application of the petitioner, trial Court should take into consideration the order dated 07.10.2021 read with judgment dated 11.07.2022 passed by the Supreme Court in ***Satender Kumar Antil vs Central Bureau of Investigation & Ors: SLP(Crl) No.5191 of 2021.***

4. Considering the aforesaid submission, present petition is **disposed of** with a liberty to the petitioner to surrender before the trial Court within a period of **10 days from today**, and apply for regular bail, and if he does so, the trial Court is directed to consider the bail application of the petitioner in accordance with law, also taking into account the order passed by the Supreme Court in the case of *Satender Kumar Antil* (supra).

[D.K. SINGH, J.]

Order Date :- 23.6.2023

MVS/-