

Court No. - 28

Case :- APPLICATION U/S 482 No. - 10145 of 2023

Applicant :- Ratan Kumar Rajbhar

Opposite Party :- Sttae Of U.P. Thru. Addl. Chief Secy. Deptt. Of Home And Another

Counsel for Applicant :- Jay Prakash Singh

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the applicant, Shri Anirudh Kumar Singh, learned AGA-I for the State and perused the record.

Instant application under Section 482 Cr.P.C has been filed to quash the criminal case No. 370 of 2023, State Vs. Ratan Kumar Rajbhar, arising out of Case Crime No. 208 of 2022, under sections 452,323,504,506,308 of I.P.C., Police Station-Mahrajganj,, District-Ayodhya/Faizabad, pending before the Civil Judge, SD-II/ACJM, Ayodhya/Faizabad as well as the chargesheet dated 21-06-2023 and the summoning order dated 04-08-2023

Learned counsel appearing for the applicant submits that the applicant is innocent and was never involved in committing the offence as has been mentioned in the first information report. He added that due to enmity, his name has been planted in the first information report and thereafter he has been chargesheeted. He next added that due to unavoidable circumstances, he could not appear before the court below.

At this stage, learned counsel for the applicant submits that he does not want to press the application and seeks liberty to file bail application before the learned trial court which may be decided in view of law laid by Hon'ble Supreme Court's judgment in the case of **Satender Kumar Antil versus Central Bureau of Investigation and another (2022)10 SCC 51.**

Learned A.G.A. has no objection to the prayer made by learned counsel for the applicant.

On due consideration to the submissions of learned counsel for the parties', it is provided that in case, the applicant appears before the trial court within two weeks from today and files bail application, the same shall be decided expeditiously in view of law laid down in the case of **Satender Kumar Antil (supra)**.

The application is **disposed of** accordingly.

Order Date :- 17.10.2023
AKS