

Court No. - 29

Case :- CRIMINAL APPEAL No. - 3029 of 2023

Appellant :- Sanjay Upadhyay And 2 Others

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

Counsel for Appellant :- Mohammad Irfan Siddiqui

Counsel for Respondent :- G.A.

Hon'ble Mrs. Renu Agarwal,J.

Heard learned counsel for the appellants, learned AGA for the State and perused the record.

Present appeal has been preferred on behalf of the appellants with prayer to quash the entire proceedings of the impugned S.T. No.987 of 2022, arising out of Case Crime No.76 of 2021, under sections 323, 504, 506, 354-Kha, IPC, and section 3(2) 5-Ka of SC/ST Act, Police Station Husainganj, District Lucknow (State Vs. Pradeep Kumar Shukla alias Parmod etc.), impugned charge sheet dated 14.10.2021, cognizance order dated 11.05.2022 and its consequential order in respect of appellants.

Learned counsel for the appellants does not want to press the prayer made in the appeal. He confines his prayer only to the extent that a direction be given to the court concerned to decide the bail application of the appellant in the light of the law laid down by the Apex Court in the cases of **Satender Kumar Antil Vs. Central Bureau of Investigation**, reported in **2021 (10) SCC 773** and **Satender Kumar Antil Vs. Central Bureau of Investigation and others MANU/SC/0851/2022**.

Learned AGA is having no objection, if such a direction is given to the court concerned to decide the bail application of the appellants/applicants in the light of the judgments of the Apex Court in the cases of Satender Kumar Antil (supras).

Accordingly, it is directed that if appellants appears before the trial court within three weeks from today and apply for bail then, his bail application shall be decided by the court below on the basis of law laid down by the Apex Court in the cases of Satender Kumar Antil (supras).

With these direction/observation, the present application is, accordingly, disposed of.

(Renu Agarwal,J.)

Order Date :- 31.10.2023/VKG