

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11627 of 2023

Applicant :- Akshay Dwivedi

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

Counsel for Applicant :- Mohd. Salman, Mukhtar Ahamad

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the petitioner/ applicant and learned AGA for the State as well as perused the record.

The present petition under Section 482 Cr.P.C has been filed by the applicant with the prayer to quash/set-aside the charge sheet No. 01/2022 dated 09.09.2022, Cognizance in Session Case No. 1002 of 2022, (State of U.P. vs. Deepak Dwivedi and another), arising out of Case Crime No. 0198 of 2022, under Section 323, 354,-Kha, 342 I.P.C. and Section 3(1) (Da) and Section 2(1) Dha SC/ST Act, Police Station Behata Mujawar, District Unnao pending before learned Additional District Judge Court No.2/ Special Judge SC/ST Act, Unnao.

After arguing at some length, learned counsel for the applicant has submitted that liberty may be given to the applicant to file bail application before the trial court which may be decided in view of law laid down by Hon'ble Supreme Court in order dated 7.10.2021 passed in Petition for **Special Leave to Appeal (Cri) No.5191 of 2021 Satender Kumar Antil versus Central Bureau of Investigation and another.**

Learned AGA has no objection to the prayer made by learned counsel for the applicants.

As far as prayer made by learned counsel for the applicant to grant liberty to the applicant to file bail application and the same may be decided in view of law laid down in the case of **Satender Kumar Antil versus Central Bureau of Investigation and another (supra)**, liberty is given to the applicant to move bail application before the trial court and the same shall be decided in view of law laid down in the case of **Satender Kumar Antil versus Central Bureau of Investigation and another (supra).**

With the aforesaid observations, the present petition is **disposed** of.

Order Date :- 29.11.2023

Raj