

**Court No. - 15**

**Case :-** APPLICATION U/S 482 No. - 12171 of 2023

**Applicant :-** Kamlesh Soni And 5 Others

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

**Counsel for Applicant :-** Dhirendra Pratap Singh

**Counsel for Opposite Party :-** G.A.

**Hon'ble Shamim Ahmed,J.**

Heard Shri Dhirendra Pratap Singh, learned counsel for the applicants as well as Shri Anirudh Kumar Singh, learned A.G.A-I for the State and perused the record.

The instant Application under Section 482 Cr.P.C. has been filed on behalf of the applicants, namely, Kamlesh Soni, Dinesh Soni, Rajesh Kumar @ Kallu, Rajat Kumar, Pawan Devi and Laxmi Soni with a prayer to quash/set aside the order dated 15.11.2023 passed by learned Sessions Judge, Raebareli in Criminal Revision No.69/2023, as well as the order dated 16.08.2022 passed by Additional Judicial Magistrate II, Raebareli passed in Criminal Case No.35749/2022 (Mahesh Kumar vs. Kamlesh Soni and others) as well as the entire proceedings of criminal case No.35749 of 2022 (Mahesh Kumar vs. Kamlesh Soni and Others) pending before learned Additional Judicial Magistrate II, Raebareli.

After some argument, learned counsel for the applicants confined his prayer to the extent that a positive direction may be given to learned court below that if a bail application is moved before it by the applicants, the same may be considered and decided expeditiously in accordance with law in light of judgment of the Hon'ble Supreme Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and others : (2022) 10 SCC 51** as the punishment in the above case is less than seven years.

Learned A.G.A. has no objection to the prayer made by learned counsel for the applicants and submits that a positive direction may be issued to the learned court below to consider and decide the bail application, if moved before it by the applicants, expeditiously in accordance with law after hearing the public prosecutor.

In view of the submissions made by learned counsel for the parties, if the applicants appear and surrender before the court below and apply for bail within four weeks' from today, the

prayer for bail shall be considered and decided expeditiously by the court below in accordance with law after hearing the Public Prosecutor in light of judgment of Hon'ble Supreme Court in the case of **Satender Kumar Antil (Supra)**.

With the aforesaid observations, this application is finally **disposed of**.

The party shall file computer generated copy of such order downloaded from the official website of High Court Allahabad or certified copy issued from the Registry of the High Court, Allahabad.

The concerned Court/Authority/Official shall verify the authenticity of such computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing.

**Order Date :- 14.12.2023**

Piyush/-