

Court No. - 15

Case :- CRIMINAL APPEAL No. - 3582 of 2023

Appellant :- Suman

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And 2 Others

Counsel for Appellant :- Manoj Kumar Singh, Vinay Kumar Singh

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed,J.

Heard Sri Manoj Kumar Singh, learned counsel for the appellant and Sri Ashok Kumar Srivastava, learned A.G.A. for the State.

This application under Section 482 Cr.P.C. has been filed by the appellant-Suman against the charge-sheet dated 05.03.2022 and summoning order dated 29.03.2023 passed by the court of Special Judge SC/ST Act, Lucknow in Session Trial No. 1241 of 2023 (State Vs. Suman and others) arising out of Case Crime No. 576 of 2021, under Sections 323, 504, 506 I.P.C. and 3 (2) 5A SC/ST Act, Police Station Para, District Lucknow, whereby the learned court has summoned the appellant to face trial.

After some argument, learned counsel for the appellant 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 appellant, 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 appellant and submit 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 appellant, expeditiously in accordance with law after hearing the public prosecutor.

In view of the submissions made by learned Counsel for the parties, if the appellant 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 appeal 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 :- 22.12.2023

Arvind