

Court No. - 29

Case :- APPLICATION U/S 482 No. - 2670 of 2024

Applicant :- Sunil Kumar Tiwari And Another

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home Lko. And Another

Counsel for Applicant :- Lalit Kishore Tiwari, Anand Mani Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Ajay Bhanot, J.

The instant Application 482 is directed against the order dated 28.10.2023 passed by the learned trial court rejecting the protest petition filed by the applicant. The learned trial court in the rejection order has found upon consideration of various evidences and also the report of the investigating officer that a prima facie offence is disclosed.

Shri Anand Mani Tripathi, learned counsel assisted by Shri Lalit Kishore Tiwari, learned counsel for the applicant contends that the trial court neglected to consider the digital evidences which exculpate the applicant.

To the contrary Shri Girijesh Kumar Dwivedi, learned AGA for the State contends that the authenticity of the digital evidences shall be determined during the course of the trial.

Faced with this, learned counsel for the applicant does not press the prayer sought in the application. He

recasts his relief and submits that the applicant may be permitted to apply for bail before the trial court and the same may be considered and decided expeditiously.

It is always open to the applicant to invoke his remedy available to him in law. However, in case such application is filed by the applicant, the same shall be decided by the competent court expeditiously and in accordance with law.

The Application U/S 482 is disposed of.

Order Date :- 21.3.2024

Dhananjai