

Court No. - 27

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13762 of 2021

Applicant :- Ashish Mishra @ Monu

Opposite Party :- State of U.P.

Counsel for Applicant :- Brij Mohan Sahai,Prabhu Ranjan Tripathi,Salil Kumar Srivastava

Counsel for Opposite Party :- G.A.,Shanshank Singh

Hon'ble Rajeev Singh,J.

Case called out.

Mr. Brij Mohan Sahai, Mr. Salil Kumar Srivastava, learned counsels for the applicant, Mr. V.K. Shahi, learned Additional Advocate General assisted by Mr. Pracheesh Pandey, learned Additional Government Advocate and Mr. Shashank Singh, learned counsel for the complainant are present.

It is informed by the learned counsel for the parties that the present bail application was heard and order was reserved on 18.01.2022 and vide order dated 10.02.2022, bail was granted to the applicant. The said order dated 10.02.2022 was challenged before the Hon'ble Supreme Court in Criminal Appeal No. 632 of 2022 arising out of SLP (CRL) 2640 of 2022 (Jagjeet Singh & Ors. versus Ashish Mishra @ Monu & Anr.). The Hon'ble Supreme Court vide judgment and order dated 18.04.2022 allowed the said appeal and while setting aside the order dated 10.02.2022, remanded the matter.

It is also informed by learned counsel for the complainant that after reserving of the judgment, one application was moved by him, but the same was not decided.

On a perusal of the said application, after being called from the Registry, it is evident that learned counsel for the complainant

moved the said application bearing C.M. Application No. 07 of 2022 after two days of reserving of the judgment, i.e., on 20.01.2022 for re-hearing of bail application. A perusal of the said application also goes to show that a note has been made by the Registry on the said application that it is defective, as the judgment has already been reserved in the matter on 18.01.2022. The said application dated 20.01.2022 is taken on record.

Learned counsel for the applicant also informs that the application for disposal of bail application is already filed in the registry. Copy of the said application is provided to the learned counsel for the complainant today in the Court.

List this case before another Bench after obtaining nomination from Hon'ble The Chief Justice/ Hon'ble Senior Judge.

Order Date :- 27.4.2022

S. Shivhare