

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).
8269-8270/2017

(Arising out of impugned final judgment and order dated 13-09-2017
in CRLM No. 43086/2017 and order dated 16-08-2017 in CRLM No.
33338/2017 passed by the High Court Of Judicature At Patna)

SANJAY RAI

Petitioner(s)

VERSUS

STATE OF BIHAR

Respondent(s)

(FOR I.R. and and IA No.113939/2017-INTERVENTION/IMPLEADMENT)

Date : 24-04-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mrs. Anjana Prakash, Sr. Adv.
Mr. Anuj Prakash, Adv.
Mr. Kumar Mihir, Adv.
Mr. Shishir Pinaki, AOR

For Respondent(s) Mr. M. Shoeb Alam, AOR
Ms. Fauzia Shakil, Adv.
Mr. Ujjwal Singh, Adv.
Mr. Mojahid Karim Khan, Adv.

Impleader Mr. Satya Mitra, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the parties.

The petitioner was granted bail on the condition that he
deposits an amount of about Rs.4.42 lacs which was alleged to have
been taken from the complainant who is before us.

On the failure of the petitioner to deposit the amount, the
High Court cancelled the bail by its impugned judgment and order.

In our opinion, the condition of depositing the entire amount in dispute was an unreasonable condition placed upon the petitioner and the failure of the petitioner to abide by this condition could not have been held against him.

Under the circumstances, we set aside the order passed by the High Court.

The special leave petitions stand disposed of.

Applications including application for impleadment are disposed of in view of the above.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER