



ITEM NO.2

COURT NO.7

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No. 1164/2017

VIVEKANAND SINGH @ VIVEKA PAHALWAN & ANR.

Appellant(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(IA No. 145195/2022 - GRANT OF BAIL)

Date : 09-10-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s)

Mr. Rakesh Kumar, AOR.
Mr. Sanjay Kumar Yadav, Adv.
Mr. Vinay Kumar Adv.
Mr. Anupam Kirti, Adv.

Mr. R. Basant, Sr. Adv.
Mr. Neeraj Kumar Verma, AOR
Mr. M.a. Niyazi, Adv.
Mr. Manish Kumar, Adv.
Mr. Monu Krishna G., Adv.
Mr. Rohit Kumar Tripathi, Adv.

For Respondent(s) Mr. Devashish Bharuka, AOR

UPON hearing the counsel the Court made the following
O R D E R

I.A. No.145195/2022 is an application for bail by appellant No.2. Against the conviction handed down by the trial court and confirmed by the High Court, the appeal is pending before this Court after leave was granted on 14.07.2017. Keeping in view the fact that the hearing of the appeal would take some more time

and insofar as the appellant No.1 the sentence was suspended and the bail was granted since at that point he had already undergone ten years and that stage.

The application of the applicant/appellant No.2 had not be considered as at that time, the incarceration was not long enough. During the pendency of this appeal, the applicant/appellant No.2 has presently undergone incarceration for about eight years and therefore taking into consideration all aspects of the matter, we order that the sentence shall remain suspended and the applicant/appellant No.2/Arvind Kumar Singh shall be released on bail subject to appropriate conditions being imposed by the trial court to secure his presence as and when required.

For the said purpose, the appellant No.2 shall be produced before the trial court forthwith.

I.A. No.145195/2022 is disposed of.

List the appeal in its usual course.

(RAJNI MUKHI)
COURT MASTER (SH)

(DIPTI KHURANA)
ASSISTANT REGISTRAR