

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.205 OF 2019
(Arising out of SLP(CrI.) No.10861/2018)

MOHD. ISRAPHIL

APPELLANT(s)

VERSUS

STATE OF JHARKHAND & ANR.

RESPONDENT(s)

O R D E R

Leave granted.

The F.I.R. has been lodged against the appellant under Section 498A of the Indian Penal Code, 1860.

The High Court by its order dated 29 November 2018 granted anticipatory bail to the appellant under Section 438(2) of the Code of Criminal Procedure, subject to conditions.

The challenge to the order of the High Court is in regard to the condition that the appellant would submit his passport in the Trial Court on the date of his surrender.

Learned counsel appearing on behalf of the appellant states that the appellant is gainfully employed in Saudi Arabia since 2014. However, it is stated that the appellant would, subject to his right to file an application for exemption from appearing before the Trial Court, appear on such dates as he is required to remain present.

Since the appellant is gainfully employed in Saudi Arabia since 2014 for his livelihood, and in view of the aforesaid statement and the undertaking, which we accept, we modify the impugned order of the High Court by setting aside the condition requiring the appellant to surrender his passport.

The appeal is accordingly disposed of.

.....J.
(DR. DHANANJAYA Y. CHANDRACHUD)

.....J.
(HEMANT GUPTA)

NEW DELHI
FEBRUARY 01, 2019

ITEM NO.45

COURT NO.11

SECTION II-A

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

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Date : 01-02-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Jayant Bhatt, Adv.
Ms. Prachi Aggarwal, Adv.
Mr. Hamid Khan, Adv.
Mr. Mrigank Prabhakar, AOR

For Respondent(s) Mr. Tapesk Kumar Singh, AOR
Mr. Aditya Pratap Singh, Adv.

Mr. M. P. Vinod, AOR

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

Leave granted.

The appeal is disposed of in terms of the signed order.

Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER

(Signed order is placed on the file)