

REVISED

ITEM NO.38

COURT NO.12

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

Petition(s) for Special Leave to Appeal (CrI.) No(s). 3017/2017

(Arising out of impugned final judgment and order dated 06-09-2016 in BA No. 6298/2016 passed by the High Court Of Jharkhand At Ranchi)

AVIK SRIVASTAVA

Petitioner(s)

VERSUS

THE STATE OF JHARKHAND & ANR.

Respondent(s)

WITH

SLP(CrI) No. 3884/2017 (II-A)

Diary No(s). 13316/2017 (II-A)

(With appln for c/delay in filing SLP and exemption from filing O.T.)

Diary No(s). 13317/2017 (II-A)

(With appln for c/delay in filing SLP and exemption from filing O.T.)

Date : 11-02-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. P.N.Mishra, Sr. Adv.

Mr. Abhishth Kumar, Adv.

Mr. Anurag Rawat, Adv.

Ms. V. Mohana, Sr. Adv.

Mr. Manish Kr. Saran, Adv.

Mr. Harsh Kumar, Adv.

Mr. Satya Prakash Sharan, Adv.

Mr. Manish Kumar Saran, AOR

Mr. Shyamal Kumar, Adv.

Mr. Sunil Kumar, Adv.

For Respondent(s)

Ms. Anjana Prakash, Sr. Adv.

Mr. Kumar Anurag Singh, Adv.

Mr. Anuj Prakash, Adv.

Mr. Jay Krishanan C.D., Adv.

Ms. Tulika Mukherjee, Adv.

Mr. Sarad Kumar Singhania, Adv.
Ms. Rashmi Singhania, Adv.

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

Delay condoned.

The accused - Vishal Kumar Singh was directed to be released on bail on 2.11.2015 by the High Court Jharkhand. Dilip Saw, Bikash Saw @ Vikash Kumar Saw and Shambhu Nath Tiwari were also released on bail by the High Court. The above accused are alleged to have committed offences under Sections 341,323,326,353, 307,302 and 120B IPC and under Section 25,26,27 of Arms Act and Sections 3,4, and 5 of the explosive Substances Act.

The petitioner who is the son of the deceased has filed these Special Leave Petitions being aggrieved by the orders passed in favour of the above mentioned accused releasing them on bail.

As the accused have been released on bail more than two years back, we are not inclined to interfere in these petitions.

We are informed that the trial is in progress and 37 witnesses have already been examined.

Ms. V. Mohana, learned senior counsel submits that she has instructions that the accused are not appearing in court regularly and have been

influencing the witnesses and tampering with the evidence. Learned counsel appearing for the respondents submitted that there is no truth in such allegations.

We are not inclined to enter into the said controversy in the absence of any material on record in support of the said contention. However, we direct the respondents - accused to refrain from influencing the witnesses or tampering with the evidence. They are also directed to appear in the Court regularly and not to impede the process of trial.

The Special Leave Petitions and pending applications are disposed of accordingly.

(B.Parvathi)
Court Master

(Kailash Chander)
Assistant Registrar

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Mr. Harsh Kumar, Adv.
Mr. Satya Prakash Sharan, Adv.
Mr. Manish Kumar Saran, AOR

Mr. Shyamal Kumar, Adv.
Mr. Sunil Kumar, Adv.

For Respondent(s)

Ms. Anjana Prakash, Sr. Adv.
Mr. Kumar Anurag Singh, Adv.
Mr. Anuj Prakash, Adv.
Mr. Jay Krishanan C.D., Adv.
Ms. Tulika Mukherjee, Adv.

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