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SLP(Crl.)No. 551 OF 2001

ITEM No.26

Court No. 4

SECTION IIA
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Crl.) No. 551/2001
(From the judgement and order dated 21/11/2000 in CRLM 32100/2000
of The HIGH COURT OF PATNA)

ASHOK KUMAR

Petitioner (s)

VERSUS

STATE OF BIHAR

Respondent (s)

(With Appln(s). for for anticipatory bail& exemption from filing OT)
(With Office Report)

Date : 17/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. P.S. Mishra,Sr.Adv.
M/s.Manu Shankar Mishra,Upendra Mishra,
Vishnu Sharma & Mrs.Swarup Reddy,Advs.for
Mr. Anil K. Jha,Adv.

For Respondent (s) Mr. B.B. Singh,Adv.
Kumar Rajesh Singh,Adv.

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

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Heard Mr. Mishra appearing for the petitioner and
Mr. B.B. Singh appearing for the State of Bihar. Having
regard to the allegations made in the FIR, and on the
materials, we think that the petitioner is entitled to get
the benefit of section 438 of the Criminal Procedure Code.
We therefore direct that in the event of his arrest he would
be released by the arresting authority.

The SLP is disposed of.

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(Y.P.Dhamija) (D.D. Jindal) @@
AA
Court Master Asstt. Registrar@@

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