

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(s).788/2007

(From the judgement and order dated 12/05/2006 in CRLM No. 15421/2006
of The HIGH COURT OF PATNA)

VIJAY KUMAR @ VIJAY PD. Petitioner(s)

VERSUS

STATE OF BIHAR & ANR. Respondent(s)

(With appln(s) for ad-interim ex-parte stay and stay of arrest
and office report)

WITH SLP(Crl) NO. 5264 of 2007
(With office report)

Date: 24/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Nagendra Rai, Sr.Adv.
Mr. Amit Pawan, Adv.
Mr. Prakash Kumar, Adv.

Mr. Nagender Ray, Sr.Adv.
Dr. K.D. Prasad, Adv.
Mr. Umesh Prasad, Adv.
Mr. Satish Vig, Adv.

For Respondent(s) Mr. Gopal Singh, Adv.
Mr. Manish Kumar, Adv.
Mr. Ambrish Bhadavria, Adv.

Mr. Navin Prakash, Adv.

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

Special leave Petition (Criminal) No. 5264 of 2007
has been filed against the judgment and order dated 20th
March, 2007, passed by the Patna High Court in Criminal
Misc. No. 7763/2007 rejecting the petitioner's prayer for
contd..

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quashing of the proceedings which had been initiated on a
complaint filed by one Suresh Prasad Gupta. Having heard
learned counsel for the respective parties, we are not
inclined to grant the said prayer. The Special Leave

Petition is, accordingly, dismissed.

As far as Special Leave Petition (Criminal) No. 788 of 2007 is concerned, the same is directed against the order dated 12th May, 2006, passed by the Patna High Court in Criminal Misc. No.15421 of 2006 rejecting the petitioner's prayer for grant of anticipatory bail.

Having heard learned counsel for the petitioner, State of Bihar and the complainant and having perused the complaint which had been filed by the complainant before the learned Magistrate, we are inclined to grant the said prayer. Accordingly, the petitioner, Dr. Vijay Kumar, is granted anticipatory bail till commencement of trial. Once the trial begins, he will surrender before the trial Court and apply for regular bail. The Special Leave Petition No. 788 of 2007 is, accordingly, allowed.

(Anita Malhotra)
Sr. P.A.

(Juginder Kaur)
Court Master