

ITEM NO.48

COURT NO.1

SECTION IIA

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).1122 OF 2005

(From the judgement and order dated 10/12/2004 in CrlM No. 34692/2004
of The HIGH COURT OF PATNA)

SANJIV KUMAR CHOUDHARY

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(With appln(s) for ex-Parte stay and exemption from filing O.T. and
permission to place addl. documents on record)

Date: 28/02/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner(s)

Mr. Mukul Rohtagi, Sr. Adv.

Mr. Vijay Hansaria, Sr. Adv.

Mr. Amit Pawan, Adv.

Ms. Meha Kiran, Adv.

Mr. S. Chandra Shekhar, Adv.

Mr. Amit Shrivastava, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The learned senior counsel for the petitioner

submits that the petitioner could not have had any stolen

property in his possession and further all the property that

is said to have been stolen is worth Rs. 25,000/- and has

already been recovered and, therefore, there should be no

2

difficulty in granting anticipatory bail to the petitioner.

In the facts and circumstances of the case, we deem

it proper to permit the petitioner to surrender before the

trial court and seek regular bail which prayer, if made, we

have no reason to think, why the same shall not be considered

and disposed of expeditiously. To allay the fear of the

petitioner, we clarify that the trial court shall consider
the prayer for bail uninfluenced by any of the observations
made by the High Court.

Subject to above-said observations, the special

leave petition is dismissed.

(D.P. WALIA)

COURT MASTER

(RADHA R. BHATIA)

COURT MASTER