



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

1. None appears on behalf of the petitioner. We have heard learned counsel for the State as well as the learned counsel for the complainant.

2. The present special leave petition has been filed against setting aside the order granting bail granted by the trial Court. After perusal of the material as placed before us, except of the dying declaration, nothing has been brought to our notice by the respondents to indicate that it may be a ground for setting aside the order of bail. We have perused the dying declaration on which we do not want to embark upon since it may affect the merits of the case. Therefore, in our view the order passed by the High Court recalling

the order of bail granted to the petitioner by the trial court is not justified. Accordingly, the order impugned passed by the High Court is set aside and the order of the trial court granting bail to the petitioner is restored. Accordingly, we direct that the petitioner be released on bail on furnishing the suitable bail bonds and sureties and on such other terms and conditions as may be deemed fit by the trial Court, if not already released as per order of the trial court.

4. Petitioner to abide all the conditions as imposed and shall regularly attend the trial until exempted. Further he shall not intimidate or influence the other side or the witnesses during trial. In case any Violation is found, it may give a cause to

take recourse as permissible and the trial Court is at liberty to do the needful.

5. Accordingly and in view of the foregoing, the special leave petition stands allowed.

6. Pending application(s), if any, shall stand disposed of.

**(GULSHAN KUMAR ARORA)**  
**DEPUTY REGISTRAR**

**(NAND KISHOR)**  
**ASSISTANT REGISTRAR**