



The present appeal assails the correctness of that order.

When the matter came up before us on 23rd February, 2011, we issued notice to the respondent State and granted interim protection to the appellant in the meantime. Learned counsel for the State has not, however, chosen to file any counter affidavit nor is he in a position to say whether the investigation has been completed and a chargesheet filed before the competent court. He seeks time to take instructions in the matter which we are not inclined to grant.

Keeping in view the facts and circumstances of the case and the fact that the appellant has been enjoying the interim protection against the arrest for the past eight months or so, and also keeping in view the nature of the offences alleged against the appellant, we are inclined to allow the prayer for anticipatory bail.

We accordingly allow this appeal, set aside the order passed by the High Court and direct that in case the appellant is arrested in connection with FIR NO. 1319/2010, he shall be released on bail. We further direct that the appellant shall, at all times, cooperate with the police and shall not tamper with the evidence. In the event of any default in compliance with this direction, the State shall have the liberty to seek cancellation of the bail granted to the appellant by making an appropriate application before the High Court.

.....J.  
(B.S. CHAUHAN)

.....J.  
(T.S. THAKUR)

NEW DELHI  
OCTOBER 31, 2011