

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).1808/2007

(From the judgement and order dated 08/02/2007 in CRLM No. 4280/2007 of The HIGH COURT OF PATNA)

DAMDAM @ DHANAJAY YADAV

Petitioner(s)

VERSUS

STATE OF BIHAR

Respondent(s)

(With appln(s) for bail)

Date: 18/05/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s)

Mr. Gaurv Agrawal, Adv.

Mr.Saurav Agrawal, Adv.

For Respondent(s)

Mr. Gopal Singh, Adv.

Mr.Anukul Raj, Adv.

Mr.Rituraj Biswas, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order.

(Meenu Sethi)

Court Master

(Pushap Lata Bhardwaj)

Court Master

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 778 /2007

(@ SLP(Crl.) No. 1808/2007)

Damdani @ Dhananjay Yadav ...Appellant

Versus

The State of Bihar ...Respondent

ORDER

Leave granted.

Having heard learned counsel for the parties,

we are of the opinion that in this case it is not necessary to determine the question in regard to interpretation of proviso appended to Sub-Section (2) of Section 167 of the Criminal Procedure Code as we are satisfied that keeping in view the nature of allegations made in the First Information Report as also the fact that the appellant is said to be in custody for a period of more than one year, the appellant should be released on bail on furnishing bail bond for Rs. 10,000/- with two sureties of the like amount to the satisfaction of the

trial Court.

The appeal is disposed of accordingly.

.....J.

[ S.B. SINHA ]

.....

...J.

[ MARKANDEY ]

KATJU]

New Delhi,

May 18, 2007