

J

SLP(Crl.)No. 2214 OF 2001  
ITEM No.48

Court No. 10

SECTION II  
A/N MATTER

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. 2214/2001  
(From the judgement and order dated 10/05/2000 in SBCRR 655/2000  
of The HIGH COURT OF RAJASTHAN AT JODHPUR)

RAJA RAM & ANR.

Petitioner (s)

VERSUS

MAHENDRA SINGH & ANR.  
( With Appln(s). for stay )

Respondent (s)

Date : 20/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.P. MOHAPATRA  
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

For Petitioner (s) Mr.PN Misra,Sr.Adv.  
Mr. Mukesh K. Giri,Adv.

For Respondent (s) Mr.Ranji Thomas,Adv.  
Mr.Javed M. Rao,Adv.

RR.No.2 Mr.Sushil Kr.Jain,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....J  
Respondent No.1 has appeared through counsel.

We have heard learned counsel for the parties.  
By the order passed on 13.7.2001 notice was issued to  
examine whether the High Court was justified in making  
the observation which reads as thus:

"Therefore they are not entitled to be granted  
bail pending trial."

On consideration of the matter we are of the view  
that the High Court should not have made the observation  
quoted above while dealing with the petition for  
anticipatory bail. The observation is set aside. It is  
made clear that if the petitioners file application  
seeking regular bail the same shall be considered by the  
Court on merit in accordance with law.

The Special Leave Petition is disposed of.

(Usha Bhardwaj)  
P.S. to Registrar

(S.Malkani)  
Court Master