

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1824 OF 2013  
ARISING OUT OF  
SPECIAL LEAVE PETITION (CrI) No. 6609 OF 2013

STATE OF JHARKHAND

APPELLANT

VERSUS

BABULAL KUMAR RANA

RESPONDENT

ORDER

We have heard learned counsel for the parties.

Leave granted in SLP (CrI) No. 6609 of 2013.

By the impugned order, the High Court has granted bail to Sugan Prasad Mehta and Babulal Kumar Rana even though as per the seizure list half kilogram of opium has been recovered from the motorcycle on which the aforesaid two accused persons were boarded.

We fail to see as to how the High Court could have granted bail to Babulal Kumar Rana when a huge quantity of opium was recovered. We, therefore, allow the appeal of the State so far as Babulal Kumar Rana is concerned and set aside the impugned order of the High Court granting bail to him in B.A. No. 10076 of 2012 and cancel bail bond of Babulal Kumar Rana.

So far as the bail granted to Sugan Prasad Mehta in B.A. No. 380 of 2013 is concerned, as notice has not been served on Sugan Prasad Mehta so far, this matter be listed after service of notice is complete on Sugan Prasad Mehta. State will take fresh steps for effecting service of notice on him.

.....J.  
(A.K. PATNAIK)

.....J.  
(JAGDISH SINGH KHEHAR)

NEW DELHI,  
OCTOBER 18, 2013

ITEM NO.7

COURT NO.6

SECTION IIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

of The HIGH COURT OF JHARKHAND AT RANCHI)

UMESH KUMAR MEHTA

Petitioner(s)

VERSUS

STATE OF JHARKHAND

Respondent(s)

(With appln(s) for bail and office report)

WITH SLP(Crl) NO. 6609-6610 of 2013

(With applns. for exemption from filing O.T., cancellation of bail and office report)

Date: 18/10/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For the parties:

Mr. D.K. Singh, Adv.

Mr. Pradeep Shukla, Adv.

Ms. Arcita Phookun, Adv.

Mr. Abhijit Sengupta, Adv.

Mr. Jayesh Gaurav, Adv.

Mr. Anil K. Jha, Adv.

Mr. Venkita Subramoniam T.R., Adv.

Mr. Rahat Bansal, Adv.

UPON hearing counsel the Court made the following

O R D E R

S.L.P.(CRL) NO. 6609-6610 OF 2013

We have heard learned counsel for the parties.

Leave granted in SLP (Crl) No. 6609 of 2013.

By the impugned order, the High Court has granted bail to Sugan Prasad Mehta and Babulal Kumar Rana even though as per the seizure list half kilogram of opium has been recovered from the motorcycle on which the aforesaid two accused persons were boarded.

We fail to see as to how the High Court could have granted bail to Babulal Kumar Rana when a huge quantity of opium was recovered. We, therefore, allow the appeal of the State so far as Babulal Kumar Rana is concerned and set aside the impugned order of the High Court granting bail to him in B.A. No. 10076 of 2012 and cancel bail bond of Babulal Kumar Rana.

So far as the bail granted to Sugan Prasad Mehta in B.A. No. 380 of 2013 is concerned, as notice has not been served on Sugan Prasad Mehta so far, this matter be listed after service of notice is complete on Sugan Prasad Mehta. State will take fresh steps for effecting service of notice on him.

SLP(Crl) No. 2795 of 2013

By the impugned order, the High Court has rejected the prayer for bail of the petitioner on the ground that half kilogram of opium was recovered from his possession.

Learned counsel for the petitioner submitted that the co-accused Babulal Kumar Rana and Sugan Prasad Mehta have been granted bail by the High Court and on parity, the petitioner should also have been granted bail.

In the appeal filed by the State of Jharkhand, we have today set

aside the order of the High Court granting bail to Babulal Kumar Rana.

We, therefore, find no good ground to interfere with the order of the High Court refusing bail to the petitioner.

The special leave petition is dismissed.

(G. SUDHAKARA RAO)  
COURT MASTER

(MADHU SUDAN)  
COURT MASTER

(SIGNED ORDER IN SLP(CRL) NO. 6609 OF 2013 IS PLACED ON THE FILE)