

&
SLP(Crl.)... 5252 OF 2003
ITEM No.13

Court No.11

SECTION IIA

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.)...5252/2003
(From the judgement and order dated 05/04/2002 in BA 2359/02
of The)High Court of Jharkhand at Ranchi)

NAYAN KANT PATHAK

Petitioner (s)

VERSUS

STATE OF JHARKHAND
(With Crl.M.P. No 5252/2003 for c/delay in filing SLP)
(With Office Report)

Respondent (s)

Date : 11/07/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. R.S. Lambat,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the petitioner.

Issue notice on the application for condonation of delay as well as the Special leave petition

. It appears from the impugned order that while granting regular bail under Section 409 I.P.C. in relation to defalcated amount of Rs.45,800/-, the Jharkhand High Court has directed the petitioner to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the concerned Court subject to the condition that the petitioner shall deposit the defalcated money.

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Prima-facie in our view the condition for making a deposit of defalcated money for grant of bail is not legal. In view of this we direct that until further orders the petitioner shall be released on bail without insisting for deposit of the defalcated amount.

(Meenu Sethi)
Court Master

(Meena Trikha)
Assistnar Registrar