

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s).2470/2007

(From the judgement and order dated 09/04/2007 in CRLP No.1061/2007 of The HIGH COURT OF KARNATAKA AT BANGALORE)

KISHORE & ORS. Petitioner(s)

VERSUS

STATE OF KARNATAKA Respondent(s)

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

Date: 10/08/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s) Mr. Arvind Savant, Sr. Adv.
Mr. Shantha Kumar Mahale, Adv.
Mr. Rajesh Mahale, Adv.
Mr. Rajendra Daga, Adv.

For Respondent(s) Mr. Sanjay R. Hegde, Adv.
Mr. Amit Kumar Chawla, Adv.

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the parties.

The appeal is allowed in-part and condition No.(b) in paragraph (2) of the impugned order is set aside and it is directed that the appellants - Kishore and Rajesh, shall be released on bail on furnishing bail bonds for a sum of Rs.50,000/- each with two sureties of the like amount each to the satisfaction of the Trial Court.

[T.I. Rajput]
A.R.-cum-P.S.

[Om Prakash]
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1057 OF 2007
(Arising out of S.L.P. (Criminal) No.2470 of 2007)

Kishore and Ors. ...Appellant(s)

Versus

State of Karnataka ...Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

By the impugned order, the High Court refused prayer for bail made on behalf of the appellants-Kishore and Rajesh, whereas granted bail to Shailesh upon following conditions:

"a) Petitioner No.2 shall execute bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties for the like sum to the satisfaction of the trial Court.

b) Petitioner No.2 shall mark his presence on every Sunday between 10 a.m. and 2 p.m. before the Investigating Officer.

c) Petitioner No.2 shall not tamper with the prosecution witnesses and shall attend the Court regularly."

Having heard learned counsel appearing for the parties and perused the records, we are of the view that it was not necessary for the High Court to put condition No.(b) for grant of bail to Petitioner No.2 before it. In our view, in the facts and circumstances of the case, it is a fit case for grant of bail to Appellants Nos.1 and 3.

.2/-

-2-

Accordingly, the appeal is allowed in-part and condition No.(b) in paragraph (2) of the impugned order is set aside and it is directed that the appellants - Kishore and Rajesh, shall be released on bail on furnishing bail bonds for a sum of Rs.50,000/- each with two sureties of the like amount each to the satisfaction of the Trial Court.

...J.

[B.N. AGRAWAL]

...J.

[TARUN CHATTERJEE]

New Delhi,
August 10, 2007.