

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).8096/2010

(From the judgement and order dated 07/08/2009 in CR MBA No. 6912/2009 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

YOGI ANZANI BHANDARI

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(With appln(s) for c/delay in filing SLP,c/delay in refiling SLP and office report)

Date: 29/11/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. B.P. Singh Dhakray, Adv.
Mr. Shakti Singh Dhakray, Adv.
Dr. Kailash Chand, Adv.

For Respondent(s)

Mr. Ratnakar Dash, Sr. Adv.
Mr. Kamalendra Mishra, Adv.
Mr. Rajeev Dubey, Adv.
Mr. Kunal Verma, Adv.

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

Delay condoned.

Leave granted.

The appeal is allowed to the extent indicated in the signed order.

(Sukhbir Paul Kaur)
Court Master

(Renuka Sadana)
Court Master

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.2233 OF 2010
(Arising out of S.L.P.(Crl.)No.8096 of 2010)

YOGI ANZANI BHANDARI

Appellant(s)

Versus

STATE OF U.P.

Respondent(s)

O R D E R

We have heard learned counsel for the appellant as well as learned senior counsel appearing on behalf of the respondent - State of U.P.

Delay condoned.

Leave granted.

This appeal by special leave is directed against the impugned judgment and order dated 7.8.2009 in Criminal Miscellaneous Bail Application No.6912 of 2009 passed by the High Court of Judicature at Allahabad, U.P wherein the appellant was released on bail on his furnishing a personal bond with two sureties in the like amount to the satisfaction of the Court concerned subject to deposit of amount in the account of the complainant as shown against him.

The High Court having granted bail to the appellant herein subject to the condition of his furnishing a personal bond with two sureties in the like amount to the satisfaction of the Court concerned

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ought not to have imposed a further condition directing the appellant to deposit the amount in the account of the complainant as shown against him. Such a condition could not have been imposed by the High Court while directing the release of the appellant on bail.

The order of the High Court is accordingly, modified directing the release of the appellant on bail to the satisfaction of the Trial Court but without insisting for the deposit of the amount, as directed by the High Court.

This appeal is accordingly, allowed to the extent indicated above.

.....J.
(B.SUDERSHAN REDDY)

.....J.
(SURINDER SINGH NIJJAR)

New Delhi,
November 29, 2010