

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. 4091/2000  
(From the judgement and order dated 10/07/2000 in CRLM 12358/2000  
of The HIGH COURT OF PATNA)

MOHD. HAIDER

Petitioner (s)

VERSUS

STATE OF BIHAR  
( With Office Report )

Respondent (s)

Date : 14/12/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS  
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. Kameshwar Singh,Adv.  
for Ms. Chandan Ramamurthi,Adv.

For Respondent (s)

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J.  
.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J.

.SP2

Leave granted.  
Appeal is disposed of in terms of the signed order.

.SP1

(N.K. GOEL) (H.K. BHATIA) @@  
BB  
COURT MASTER COURT MASTER@@  
BB  
(Signed order is placed on the file)

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.PL58  
L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R  
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. of 2000@@  
EE  
(Arising out of S.L.P. (Crl.) 4091 of 2000)

Mohd. Haider

..Appellant

Vs.

State of Bihar

..Respondent

O R D E R@@  
EEEEEEEEEE

.....L.....I.....T.....T.....T.....T.....T.....T.....T....J  
.SP2

Leave granted.

Appellant is involved in an offence under Section 26(2)(3) of the Arms Act. He was arrested on 16.4.1998 and from then on he remains in custody. He moved for bail on different occasions but he did not succeed in getting bail. None appears for the State of Bihar.

One of the facts which cannot be overlooked is that the co-accused was released by the High Court on 7.4.2000. Learned counsel submits that the position of this appellant is not worse than the other co-accused who is released. Even otherwise we are persuaded by the fact that appellant is remaining in custody from 16.4.1998 onwards. We do not find any particular need for keeping him as an undertrial prisoner for the remaining period. We, therefore, order the appellant to be released on bail in the case resting on F.I.R. No. 84 ..2/-

:2:

of 1998, on his executing a bond with two solvent sureties to the satisfaction of the trial court.

This appeal is disposed of accordingly.

.SP1

.....J.@@  
BB  
(K.T. THOMAS)@@  
BB

.....J.@@  
BB  
(R.P. SETHI)@@  
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NEW DELHI@@  
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NOVEMBER 17, 2000 @@  
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