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SLP(Crl.)No. 3813 OF 2003
ITEM No.309

Court No. 5

SECTION IIA
A/N MATTER

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. 3813/2003
(From the judgement and order dated 25/07/2003 in BA 3871/03
of The High Court of Jharkhand, Ranchi)

RAJENDRA BAITHA

Petitioner (s)

VERSUS

UNION OF INDIA
(With Appln(s). for bail and Office Report)

Respondent (s)

Date : 12/01/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE P.VENKATARAMA REDDI
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)
Mr. Gaurav Agrawal, Adv.
Mr. Prashant Kumar, Adv.
Mr. Vishnu Sharma, Adv.
Mr. Joseph Pookkatt, Adv.

For Respondent (s)
Mr. R.N. Trivedi, ASG
Mr. A. Mariarputham, Adv.
Mr. A.D.N. Rao, Adv.
Mr. P. Parmeswaran, Adv.

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

The petitioner is ordered to be released on interim bail on executing a bond with two solvent sureties in a sum of Rupees one lakh to the satisfaction of the appropriate court on the following conditions:

a)He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him to disclose such facts to the court or to any other authority:

b)He shall remain present before the court on the dates fixed for hearing of the case. If he wants to remain absent then he shall take prior permission of the court and in case of unavoidable circumstances for remaining absent he shall immediately give intimation to the appropriate Court (AHD) and also to the Superintendent, C.B.I. and request that he may be permitted to be present through his counsel;

c)he will not dispute his identity as the accused in the case;

d)he shall surrender his Passport, if any, (if not already surrendered) and in case he is not a holder of the same he shall swear to an affidavit. If he has already surrendered before the designated court that fact should also be supported by an affidavit.

e)he shall not leave the limits of appropriate State without the prior permission of the concerned trial court.

We clarify that it will be open to the C.B.I. to apply for cancellation of bail in accordance with law in this court. Further, if it is found that the petitioner is deliberately protracting the trial or taking unnecessary adjournments then that by itself would be a ground for cancellation of bail.

The special leave petition is disposed of accordingly.

(K.K. Chawla)
Court Master

(Jasbir Singh)
Court Master