

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1250 OF 2012  
(Arising out of S.L.P. (CRL.) No.5411 of 2011)

Prem Chand Mardi

Appellant(s)

VERSUS

State of Jharkhand & Anr.

Respondent(s)

O R D E R

Leave granted.

This appeal is directed against the judgment and order dated 20th May, 2011, passed by the Jharkhand High Court, in Criminal ABA No.4172 of 2010, rejecting the appellant's prayer for grant of anticipatory bail in respect of an allegation made under Sections 323 and 498A I.P.C. Reference has also been made with regard to the alleged second marriage of the appellant.

These are matters to be considered later at the stage of trial and should not be an impediment in granting bail in such matters. The appeal is, accordingly, allowed. The order dated 1st August, 2011, is made absolute.

We, however, also indicate that if charge is framed in the matter, the appellant shall at that stage surrender before the Trial Court and pray for regular bail.

(ALTAMAS KABIR)

.....J.

.....J.  
(J. CHELAMESWAR)

New Delhi;  
August 21, 2012.

ITEM NO.30

COURT NO.2

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) No(s).5411/2011

(From the judgement and order dated 20/05/2011 in ABA No.4172/2010 of The HIGH COURT OF JHARKHAND AT RANCHI)

PREM CHAND MARDI

Petitioner(s)

VERSUS

STATE OF JHARKHAND & ANR

Respondent(s)

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

Date: 21/08/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. S.C. Soren, Adv.  
Mr. Amlan Kumar Ghosh, AOR

For Respondent(s) Mr. Ardhendumauli Kumar Prasad, AOR

For R-2 Mr. R.K. Vats, Adv.  
Mr. Rajan K. Chaurasia, AOR

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

Leave granted.  
The appeal is allowed in terms of the signed order.

|(Chetan Kumar)  
|Court Master

| |(Juginder Kaur)  
| |Assistant Registrar

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(Signed order is placed on the file)