

ITEM No.13

Court No. 5

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. 3840/2003

(From the judgement and order dated 20/06/2003 in ABA 412/03
of The Jharkhand, Ranchi)

CHANDI PRASAD

Petitioner (s)

VERSUS

STATE OF JHARKHAND

Respondent (s)

(With Appln(s). for stay of arrest, exemption from filing c/c of the
impugned Judgment and exemption from filing O.T.)

Date : 19/09/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s)Mr.A.Sharan,Sr.Adv.

Mr.Samir Ali Khan,Ad.

Mr.Amit Kumar,Adv.

For Respondent (s)

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

The Special Leave Petition is dismissed in terms of the signed order.

(Vijay Aggarwal)

(N.K.Gandhi)

COURT MASTER AR-cum-PS

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CRL.) NO.3840 OF 2003

CHANDI PRASAD... PETITIONER (S)

VERSUS

STATE OF JHARKHAND... RESPONDENT (S)

O R D E R

Heard learned counsel for the petitioner. While seeking to make out a case for grant of anticipatory bail, he invited our attention to the fact that the land in question was settled on April 16, 1948 in the Jamabandi, as disclosed in the complaint. Therefore, while the anticipatory bail was allowed in favour of the then Circle Officer, N.N.Sinha, there is no justification to deny anticipatory bail to the petitioner.

We have carefully considered the submissions of the learned counsel. The allegation, so far as the present petitioner and his role is concerned, is that when the Jamabandi was opened in the year 1963, the present petitioner was the Circle Inspector of Kanke Anchal and it was he who recommended it. In the light of such materials placed the impugned order cannot be found fault with in refusing to extend the anticipatory bail to the petitioner. The Special Leave Petition is, therefore, dismissed.

.....J.
[DORAISWAMY RAJU]

.....J.
[ARIJIT PASAYAT]

New Delhi,
September 19, 2003.