ÊITEM NO.7 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(s).4993/2009
(From the judgement and order dated 02/07/2009 in CRLA No. 1770/2009 of The HIGH COURT OF BOMBAY AT AURANGABAD)

BABARAO & ANR. Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR. Respondent(s)
(With appln(s) for anticipatory bail and office report)

Date: 01/09/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s)
Mr. Harinder Mohan Singh,Adv.
Mr. Praveen Kumar Singh, Adv.

For Respondent(s)
Mr. Sanjay V. Kharde, Adv.
Ms. Asha Gopalan Nair,Adv.

UPON hearing counsel the Court made the following

O R D E R

Despite opportunity having been granted to the State to file additional affidavit in terms of our order dated 13th August, 2010, the needful has not been done. Under the circumstances, ad interim order dated 3rd August, 2009 is made absolute and it is directed that in the event of arrest of the petitioners, they will be released on bail on their furnishing personal bonds in the sum of Rs. 10,000/- each with one surety each in the like amount to the satisfaction of the Investigating Officer. The petitioners shall remain bound by all the terms and conditions as stipulated in sub-section (2) of Section 438 of the Code of Criminal Procedure, 1973 (for short "the Code"). This order shall remain in force till the charge-sheet is filed, whereafter the petitioners may apply for regular bail in the Court concerned. As and when such applications are filed, these will be considered on their own merits.

The Special Leave Petition is disposed of in the above terms.

(VINOD LAKHINA) (KUSUM GULATI)
Court Master Court Master