

\224 1 SLP(Crl._____/2009 (Crl MP 14340/09)

ITEM NO.27 COURT NO.9 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)... /2009
(CRLMP.NO(s). 14340/2009)

(From the judgement and order dated 26/09/2008 in CRLM No. 18999/2008
of The HIGH COURT OF PATNA)

SANTOSH KUMAR @ RAJU Petitioner(s)

VERSUS

STATE OF BIHAR Respondent(s)

With CRLMP.NO(s). 14340/2009 (c/delay in filing SLP)

Date: 07/09/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Rudreshwar Singh, adv.
Mr. Gopal Jha, Adv.
Mr. Kaushik Poddar, adv.
Mr. Tapesk Kumar Singh, Adv.

For Respondent(s)

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

Heard learned counsel for the petitioner.

Delay condoned.

We see no reason to grant anticipatory bail to the
petitioner. Accordingly, the special leave petition is
dismissed.

However, the petitioner may apply for regular bail
before the Court concerned. We have made it clear on a
number of occasions that the power to grant regular bail

includes the power to grant interim bail pending final
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disposal of the regular bail application. This power is
inherent in the power to grant bail, particularly in view
of Article 21 of the Constitution of India. Hence, if
the present petitioner applies for regular bail before
the Court concerned, he may also file an application for
interim bail, which application shall be decided on the
same day on which it is filed, pending final disposal of

the regular bail application.

(Ajay Kr. Jain)
Court Master

(Indu Satija)
Court Master