

ITEM NO.5

COURT NO.6

SECTION II

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(s).4034/2009

(From the judgement and order dated 05/05/2009 in      CRMBA No.  
21460/2008 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

MITHLESH SHARMA

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(With appln(s) for clarification/modification of court's order  
WITH SLP(Crl) NO. 4070 of 2009  
(With office report)  
SLP(Crl) NO. 6370 of 2009  
(With office report)  
SLP(Crl) NO. 7507 of 2009  
(With office report)  
SLP(Crl) NO. 9063 of 2009  
(With office report)

Date: 11/02/2010      This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI  
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s)

Mr. Vishwajit Singh, Adv.

Mrs.Rekha Palli, Adv.

For Respondent(s)

Mr. Arvind Kumar Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

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We had granted bail to the petitioner by  
order dated 22.01.2010 wherein it was directed  
that the conditions of bail shall be determined  
by the trial court.      The trial court has now  
omposed six conditions for the grant of bail and  
condition No. 6 reads as under:

"The accused will deposit the alleged amount

of Rs. 3,29,000/- in the court, whose disposal will depend on the report of the IO/decision of the case."

We find that this condition imposes an onerous burden on the petitioners which would make it impossible for them to get bail. However, keeping in mind, the orders of this Court in Shakuntala Devi v. State of U.P. Criminal Appeal No. 2142 of 2009 dated 16th November, 2009 the amount of Rs. 12,35,000/- in this case shall be reduced to Rs. 1 lakh. With this modification the application stands disposed of.

(KALYANI GUPTA)  
SR. P.A.

(VINOD KULVI)  
COURT MASTER