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ITEM NO.61

COURT NO.3

SECTION II

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).5554/2012

(From the judgement and order dated 07/05/2012 in CRLA No.309/2010, of The
HIGH COURT OF JUDICATURE AT ALLAHABAD)

UMESH SINGH

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

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

Date: 07/01/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE V. GOPALAGOWDA

For Petitioner(s)

Mr. D.K. Thakur, Adv.
Mr. Lalan Chowdhry, Adv.
Mr. Debasis Misra, Adv.

For Respondent(s)

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

Leave granted.

The appeal is disposed of in terms of the signed order.

[Madhu Bala] [Savita Sainani]
Sr.PA Court Master
(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.37 OF 2013
(@ SPECIAL LEAVE PETITION (CRL.)NO. 5554 OF 2012)

Umesh Singh

Appellant(s)

VERSUS

State of U.P.

Respondent(s)

O R D E R

Heard learned counsel for the appellant.

Leave granted.

Against the dismissal of application for suspension of
sentence and bail, the appellant-accused has filed the present appeal.

Considering the limited issue raised, we issued notice to the respondent-State on 30.07.2012. Even though service was complete, but none appeared for the respondent-State. In order to give one more opportunity, we adjourned the matter to 14.12.2012. Again the matter was adjourned for today. Even today, no one appeared on behalf of the respondent-State.

Taking note of the fact that the High court has entertained the appeal and the same is kept pending and also of the fact that the appellant is in jail for the last seven and half years and also going into all the other materials placed including the fact that the all other connected accused were granted bail, we are inclined to consider the claim of the appellant. Therefore, the appellant is ordered to be released on bail in connection

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with Sessions Trial No. 16/07 arising out of FIR No. 149/05 registered at P.S. Bairia, Sub District Bairia to the satisfaction of Additional Sessions Judge, Court No. 2, Balia.

The Additional Sessions Judge is free to impose appropriate condition(s) as he deems fit.

The criminal appeal is disposed of.

.....J.
[P. SATHASIVAM]

.....J.
[RANJAN GOGOI]

NEW DELHI
7TH JANUARY, 2013

.....J.
[V.GOPALAGOWDA]