

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).7408/2010

(From the judgment and order dated 27/05/2010 in
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

CRLMA No. 17369/2010

KALU & ANR

Petitioner(s)

VERSUS

STATE OF U.P.& ANR

Respondent(s)

(With appln(s) for ex-Parte stay and exemption from filing O.T. and
anticipatory bail and office report)

Date: 20/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Mr. Hasan Anzar, Adv.
Mr. S. A. Siddiqui, Adv.
Mr. Osama Suhail, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the petitioner.

No case for grant of anticipatory bail is made out.

Anticipatory bail is rejected accordingly.

The Special Leave Petition is dismissed.

-1-

However, we wish to reiterate that inherent in the
power to grant bail is the power to grant interim bail,
pending final disposal of the bail application. This is in
view of Article 21 of the Constitution of India which
guarantees the right of reputation to every person.

Hence, the petitioner may apply for regular bail along
with an application for interim bail. If such an
application is filed, the trial Court is directed to decide

the interim bail application, pending final disposal of the
bail application, on the same day on which it is filed and
on its own merits in accordance with law. We make it clear
that this shall not be taken as an expression of opinion as
if we are inclined or not inclined to release the
petitioner on bail.

(Deepak Joshi)
Sr. P.A

(Madhu Sudan)
Court Master