

Petition(s) for Special Leave to Appeal (Crl) No(s).6928/2010

(From the judgement and order dated 26/07/2010 in SBCRM 2nd Bail Application No. 5542/2010 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

JEET KUMAR

Petitioner(s)

VERSUS

STATE OF RAJASTHAN

Respondent(s)

(With appln(s) for anticipatory bail)

Date:19/08/2010 This Petition was called on for mentioning today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s)

Mr. Sumit Kr. Khatri, Adv.

Mr. Devender Kr. Sharma, Adv.for

Mr. Ashwani Bhardwaj,Adv.

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.

The Special Leave Petition is dismissed. 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.

(Parveen Kr. Chawla)
Court Master

(Indu Satiya)
Court Master

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