

S U P R E M E

C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CrI.M.P.No.23579/2010 in
CRIMINAL APPEAL NO(s). 954 OF 2009

BABU ROY & ORS.

Appellant (s)

VERSUS

STATE OF WEST BENGAL
(With appln(s) for bail and office report)

Respondent(s)

Date: 13/12/2010

This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM
(IN CHAMBERS)

For Appellant(s)

Mr.Nagendra Rai,Sr.Adv.
Mr. Shantanu Sagar,Adv.
Mr. Smarhar Singh,Adv.
Mr. T. Mahipal,Adv.

For Respondent(s)

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

This is an application for bail to the
applicants/appellants pending appeal.

This Court on 6.12.2010 issued notice to the respondent
returnable by 13th December, 2010. Counsel for the
applicants/appellants was permitted to serve the notice on the
bail application to the Standing Counsel for the State of West
Bengal. Pursuant to the said direction, an affidavit has been
sworn by Registered Clerk of Advocate-on-Record to the effect
that copy of the petition and other materials have been
supplied to the Standing Counsel for the State of West Bengal.
However, none appeared for the State.

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Heard learned senior counsel for the
applicants/appellants.

On going through the prosecution case, materials placed
as well as the orders of the Trial Court and the High Court
and taking note of the fact that the appellants had served
nearly 11 years in jail, I am of the view that appellants have
made out a case for bail. Accordingly, the appellants are
ordered to be released on bail in connection with Sessions
Trial No. XLI of March 2000 to the satisfaction of learned 5th
Additional Sessions Judge, Midnapore, West Bengal.

CrI.M.Petition is disposed of accordingly.

[Madhu Bala]
Sr.P.A.

[Savita Sainani]
Court Master