

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).7647/2010

(From the judgement and order dated 15/07/2010 in CRLMB No. 4742/2010 of The HIGH COURT OF RAJASTHAN AT JODHPUR)

GHANSHYAM VAISHNAV Petitioner(s)

VERSUS

STATE OF RAJASTHAN Respondent(s)

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

Date: 08/11/2010 This Petition was called on for hearing today.

CORAM :  
HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s) Mr. Rishabh Sancheti, Adv.  
Mr. Neeraj Shekhar,Adv.

For Respondent(s) Ms. Archana Pathak Dave, Adv. for  
Mr. Milind Kumar,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.  
Anticipatory bail is rejected accordingly.

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.

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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.

( Rajesh Dham )  
Court Master

( Indu Satija )  
Court Master

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