

ITEM NO.4

COURT NO.12

CORRECTED COPY
SECTION IIA

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 (Cr1.) No(s). 6641/2009

(Arising out of impugned final judgment and order dated 29/04/2009
in CRLM No. 5029/2008 passed by the High Court Of Patna)

TARKESHWAR DASIL & ORS.

Petitioner(s)

VERSUS

STATE OF BIHAR & ANR.

Respondent(s)

(with appln. (s) for ad-interim ex-parte stay and permission and
office report)

(For Final Disposal)

WITH

SLP(Cr1) No. 7865/2009

(With appln.(s) for directions and appln.(s) for exemption from
filing O.T. and Office Report)

SLP(Cr1) No. 8274-8275/2009

(With appln.(s) for exemption from filing O.T. and Office Report)

SLP(Cr1) No. 1900/2010

(With appln.(s) for permission and appln.(s) for exemption from
filing O.T. and appln.(s) for c/delay in refiling SLP and appln.
(s) for c/delay in filing SLP and appln.(s) for stay and Office
Report)

SLP(Cr1) No. 2599/2010

(With Office Report)

Date : 10/02/2015 These petitions were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s) Mr. Manu Shanker Mishra,Adv.
Mr. Nishant Kumar, Adv.

Mr. Shishir Pinaki, Adv.
Mr. Sanjay Jain,Adv.

Mr. Mohit Kumar Shah,Adv.
Mr. Rituraj Biswas, Adv.

Mr. Sanjay R. Hegde, Adv.
Mr. Abhay Kumar, Adv.
Mr. Tenzing Tsering, Adv.

For Respondent(s)

Mr. Gopal Singh, Adv.
Mr. Rituraj Choudhary, Adv.
Ms. Rashmi Srivastava, Adv.

Mr. Smarhar Singh, Adv.
Mr. T. Mahipal, Adv.

Mr. S. Chandra Shekhar, Adv.

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

SLP(Cr1.) No. 6641/2009

The special leave petition is dismissed.

Interim order dated 19/10/2009 stands vacated.

Since the FIR was registered in the year 2007, we request the Court concerned to expedite the proceedings.

SLP(Cr1.) No. 7865/2009

Learned counsel for the petitioner seeks permission to withdraw the special leave petition with liberty to take recourse to appropriate steps in accordance with law. Permission is granted. The special leave petition is dismissed as withdrawn with the liberty as prayed for.

SLP(Cr1.) No. 2599/2010

The petitioner approached this Court aggrieved by the rejection of his application for regular bail. In view of the pendency of other petitions wherein this Court had stayed the trial, the petitioner was granted interim bail by order dated 12.5.2011. By separate order, we have dismissed the connected petitions with direction to proceed with the matter. Under the above circumstances, the special leave petition is dismissed. The interim bail granted to the petitioner on 12.5.2011 stands cancelled.

However, the petitioner is granted three weeks' time to surrender.

We make it clear that dismissal of this petition will not stand in the way of the petitioner renewing his application for bail at the appropriate stage before the appropriate forum.

SLP(Crl.) Nos. 8274-8275/2009

Leave granted.

The appellant has approached this Court aggrieved by the grant of anticipatory bail to three of the accused in FIR dated 18/10/2007 of Chapra Rail PS Case No. 84 of 2007. Having regard to the intervening developments in the case, we are of the view that respondents should approach for regular bail. We set aside the impugned order with liberty to the respondents to approach the forum concerned for regular bail. However, the protection granted to the respondents by the High Court against arrest shall continue for a further period of four weeks so as to enable the respondents to approach the Court concerned.

The appeals stand allowed as above in terms of the signed order.

SLP(Crl.) No. 1900/2010

On account of personal difficulty, learned counsel for the petitioner prays for three weeks' time.

Post on 10th March, 2015.

(DEEPAK MANSUKHANI)
COURT MASTER

(SUMAN JAIN)
COURT MASTER

(Signed order in SLP(Crl.) Nos. 8274-8275/2009 is placed on the file)

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Mr. Nishant Kumar, Adv.

Mr. Shishir Pinaki, Adv.

Mr. Sanjay Jain,Adv.

Mr. Mohit Kumar Shah,Adv.

Mr. Rituraj Biswas, Adv.

Mr. Sanjay R. Hegde, Adv.
Mr. Abhay Kumar, Adv.
Mr. Tenzing Tsering, Adv.

For Respondent(s)

Mr. Gopal Singh, Adv.
Mr. Rituraj Choudhary, Adv.
Ms. Rashmi Srivastava, Adv.

Mr. Smarhar Singh, Adv.
Mr. T. Mahipal, Adv.

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SLP(Crl.) No. 2599/2010

The petitioner approached this Court aggrieved by the rejection of his application for regular bail. In view of the pendency of other petitions wherein this Court had stayed the trial, the petitioner was granted interim bail by order dated 12.5.2011. By separate order, we have dismissed the connected petitions with direction to proceed with the matter. Under the above circumstances, the special leave petition is dismissed. The interim bail granted to the petitioner on 12.5.2011 stands cancelled.

However, the petitioner is granted three weeks' time to surrender.

We make it clear that dismissal of this petition will not stand in the way of the petitioner renewing his application for bail at the appropriate stage before the appropriate forum.

SLP(Crl.) Nos. 8274-8275/2009

Leave granted.

The appellant has approached this Court aggrieved by the grant of anticipatory bail to three of the accused in FIR dated 5.6.2009. Having regard to the intervening developments in the case, we are of the view that respondents should approach for regular bail. We set aside the impugned order with liberty to the respondents to approach the forum concerned for regular bail. However, the protection granted to the respondents by the High Court against arrest shall continue for a further period of four weeks so as to enable the respondents to approach the Court concerned.

The appeals stand allowed as above in terms of the signed order.

SLP(Crl.) No. 1900/2010

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Post on 10th March, 2015.

(DEEPAK MANSUKHANI)
COURT MASTER

(SUMAN JAIN)
COURT MASTER

(Signed order in SLP(Crl.) Nos. 8274-8275/2009 is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 262-263 OF 2015
(Arising out of SLP(Crl.) No(s). 8274-8275 of 2009)

ASHOK KUMAR YADAVAppellant(s)

Versus

STATE OF BIHAR & ORS.Respondent(s)

O R D E R

Leave granted.

The appellant has approached this Court aggrieved by the grant of anticipatory bail to three of the accused in FIR dated 18/10/2007 of Chapra Rail PS Case No. 84 of 2007. Having regard to the intervening developments in the case, we are of the view that respondents should approach for regular bail. We set aside the impugned order with liberty to the respondents to approach the forum concerned for regular bail. However, the protection granted to the respondents by the High Court against arrest shall continue for a further period of four weeks so as to enable the respondents to approach the Court concerned.

The appeals stand allowed as above.

.....J.
(KURIAN JOSEPH)

.....J.
(N.V. RAMANA)

NEW DELHI
FEBRUARY 10, 2015.