

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).8144/2008

(From the judgement and order dated 19/09/2008 in CRLA No.799/2008
of The HIGH COURT OF JHARKHAND AT RANCHI)

SRIPATI NARAYAN DUBEY

Petitioner(s)

VERSUS

STATE OF JHARKHAND TR.C.B.I.

Respondent(s)

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

Date: 27/03/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s)

Mr. Altaf Ahmad, Sr. Adv.

Mr. Manoj Saxena, Adv.

Mr. Rahul Shukla, Adv.

Dr. Kailash Chand, Adv.

For Respondent(s)

Mr. A. Saran, ASG.

Mr. B.S. Chahar, Sr. Adv.

Mr. Kul Bharat, Adv.

Mr. B.K. Prasad, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted. The appeal is allowed in terms of the signed
order.

(Ganga Thakur)
P.S. to Registrar

(Juginder Kaur)
Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 569 OF 2009
(Arising out of SLP(Crl.) No.8144/08)

SRIPATI NARAYAN DUBEY

...APPELLANT(S)

Versus

STATE OF JHARKHAND THR. CBI

.RESPONDENT (S)

ORDER

Leave granted.

The appellant was convicted by the Special Judge, VIIth C.B.I. (A.H.D. Scam), Ranchi, in RC 39(A) of 1996/SPL No. 41 of 1996, under Sections 120-B read with Sections 409, 420, 467, 468, 471, 473, 474, 477-A IPC, and was sentenced to undergo rigorous imprisonment for a period of four years and to pay a fine of Rs.1 lakh, and in default of payment of fine, to undergo simple imprisonment for a further period of six months. The appellant was also convicted separately under Section 420 and Section 13(1)(d) of the Prevention of Corruption Act, and sentenced to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs. 50,000/- on account of his conviction

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under Section 420 IPC and rigorous imprisonment for a period of four years and to pay a fine of Rs. 1 lakh and in default of payment of fine to further undergo simple imprisonment for six months in respect of conviction under Section 13(1)(d) of IPC.

The Special Leave Petition has been filed against the said judgment and order of the High Court. When the matter was taken up for consideration, Mr. Altaf Ahmed, learned senior counsel, appearing for the appellant, produced several orders passed by this Court arising out of A.H.D. Scam in which the appellants have been granted bail. Having regard to the fact that most of them had already undergone substantial part of the sentence and also on account of their age. In the present case also the appellant has undergone 21 months and is also about 64 years of age.

Accordingly, on the ground of parity the prayer for bail is allowed. Let the appellant be releasing on bail on his providing a bail bond of Rs. 50,000/- to the satisfaction of Special Judge.

(ALTAMAS KABIR)

.....J.

(CYRIAC JOSEPH)

.....J.

New Delhi,
March 27, 2009.