

ÆITEM NO.15

COURT NO.8

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 (Crl) No(s).8234/2009

(From the judgement and order dated 23/10/2009 in
3390/2009 of The HIGH COURT OF BOMBAY AT NAGPUR BENCH)

CRLA No.

ANIL MANGILALJI JAIN

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA

Respondent(s)

(With appln(s) for exemption from filing c/c of the
Judgment,exemption from filing O.T.,anticipatory bail)

impugned

Date: 16/11/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Jayant Bhushan, Sr. Adv.
Mr. Shivaji M. Jadhav,Adv.

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

Leave granted.

The Appeal is disposed of in terms of the signed
order.

(Parveen Kr. Chawla)
Court Master
[Signed Order is placed on the File]
IN THE SUPREME COURT OF INDIA

(Indu Satija)
Court Master

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.2136 OF 2009
(Arising from SLP(Crl.) No.8234 of 2009)

Anil Mangilalji Jain

..Appellant

versus

State of Maharashtra

..Respondent

O R D E R

Leave granted.

Heard learned counsel for the appellant.

The appellant's anticipatory bail application has

been rejected and hence he is before us.

Shri Jayant Bhushan, learned senior counsel for the appellant has stated that regular bail has been granted to co-accused by an order of the District & Sessions Judge, Nagpur dated 14.09.2009.

In these circumstances, we permit the appellant to apply for regular bail to the said Court along with an application for interim bail pending final disposal of the bail application and also a copy of the order dated 14.09.2009 granting regular bail to the co-accused.

We have observed in many cases that power to grant bail includes the power to grant interim bail pending final disposal of the bail application since a person's reputation under Article 21 of the Constitution of India can be affected.

We pass the same order in this case and direct the appellant to apply for regular bail along with an application for interim bail pending final disposal of the bail application and also a copy of the order dated 14.09.2009. If such an application is filed, the concerned Court shall dispose of the interim bail application on its own merits in accordance with law pending final disposal of the bail application on the same day on which it is filed taking into consideration the order dated 14.09.2009 granting regular bail to the co-accused.

The Appeal is disposed of accordingly.

.....J.
[MARKANDEY KATJU]

NEW DELHI;
NOVEMBER 16, 2009.

.....J.
[ASOK KUMAR GANGULY]