

ITEM NO.40

COURT NO.6

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).8671/2009

(From the judgement and order dated 28/10/2009 in WP No.9005/2009
of The HIGH COURT OF U.P. BENCH AT LUCKNOW)

MANISH DUBEY

Petitioner(s)

VERSUS

STATE OF U.P.& OTHER

Respondent(s)

(With appln(s) for stay)

WITH SLP(Crl) NO. 3069 of 2010

(With appln.(s) for exemption from filing O.T. and stay and
exemption from filing C/C of the impugned order and office report)

Date: 05/09/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s)

Mr. Manohar Lal Sharma, Adv.
Mr. Jitendra Kumar, Adv.

Mr. Manohar Lal Sharma, Adv.
Mr. Ravi Kumar Tomar, Adv.

For Respondent(s)

Mr. Sunil Kumar Singh, Adv.
Ms. Mukti Singh, Adv.
Dr. Kailash Chand, Adv.

Mr. Samir Ali Khan, Adv.
Mr. Manoj Dwivedi, Adv.
Mr. Gunnam Venkateswara Rao, Adv.

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

The Special Leave Petitions are dismissed.

However, we wish to reiterate that inherent in
the power to grant bail is the power to grant interim bail,

2

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(05/09/2011)

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S.L.P.(Crl) No(s).8671/2009 with SLP(Crl) NO. 3069/2010

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.

Hence, the petitioners 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 petitioners on bail.

(Rajesh Dham)
Court Master

(Indu Satija)
Court Master