

Keshab Narayan Banerjee And Anr. vs The State Of Bihar on 11 July, 1984

Equivalent citations: AIR1985SC1666, 1985CRILJ1857, AIR 1985 SUPREME COURT 1666, (1984) PAT LJR 63

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Bench: E.S. Venkataramiah

ORDER

E.S. Venkataramiah, J.

1. Special Leave granted. Mr. Goburdhan takes notice on behalf of the State of Bihar.

2. Heard counsel for the parties. The condition imposed by the High Court for enlarging Keshab Narayan Banerjee, appellant No. 1 on bail, namely, that he should furnish security for rupees one lakh in cash or in fixed deposit of any nationalised bank in Bihar with two sureties residing in the State of Bihar each for a like amount appears to be excessively onerous. In the circumstances of this case, it virtually amounts to denial of bail itself. It is, therefore, ordered that appellant No. 1 shall be enlarged on bail on his furnishing a bail bond for Rs. 25,000/- with two sureties each for the like amount to the satisfaction of the learned Special Judge. The learned Special Judge need not insist that the appellants should produce sureties who are residing in Bihar only. The order of the High Court shall stand modified accordingly.