

Supreme Court of India

Jagannath Mishra vs State Of Bihar on 18 December, 1998

Equivalent citations: 1999 CriLJ 3526, 1999 (1) SCALE 5

Bench: G Nanavati, S Kurdukar, K Thomas

ORDER

1. Leave granted.

2. We have heard learned Counsel for the parties.

3. In our opinion, the appellant has made out a case for releasing him on bail. We, therefore, allow this appeal, set aside the impugned order passed by the High Court so far as the appellant is concerned and order that he be released on bail subject to the conditions that:

(a) He shall not directly or indirectly make any inducement, threat or permission to any person acquainted with the facts of the case so as to dissuade him to disclose such facts to the court; or to any other authority;

(b) He shall remain present before the court on the dates fixed for hearing of the case. If he wants to remain absent then he shall take prior permission of the Court and in case of unavoidable circumstances for remaining absent he shall immediately give intimation to the Court of Special Judge, (AHD), Patna and also to the Superintendent, C.B.I. If for any reason the appellant, wants to remain absent or is not able to remain present then he shall seek exception from the Court. He shall returns insist upon the proceedings being held up in view of his absence.

4. He is ordered to be released an bail to the satisfaction of Special Judge, C.B.I. (AHD) Patna. The appeal is disposed of accordingly.