

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.2143 OF 2011
(SPECIAL LEAVE PETITION(CRL.)NO.7351 OF 2011)

MOMIN KHAN

APPELLANT

VERSUS

STATE OF U.P.& ANR

RESPONDENTS

O R D E R

Leave granted.

2. This appeal is directed against the order dated 18.07.2011 passed by the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow in Criminal Miscellaneous Case No.6657 of 2010.

3. Heard learned counsel for the parties to the *lis*.

4. We have also perused the First Information Report that was lodged before the police authorities. In our opinion, in the facts and circumstances of the case, the High Court ought not to have granted bail to respondent no.2 herein. In that view of the matter, we allow this appeal and set aside the order passed by the High Court.

5. However, we grant liberty to respondent no.2 to make appropriate application for grant of bail after two years.

Ordered accordingly.

.....J.
(H.L. DATTU)

.....J.
(CHANDRAMAULI KR. PRASAD)

NEW DELHI;
NOVEMBER 18, 2011