

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 175/2018
(ARISING FROM SLP (Cr1) NO. 8464/2017)

BIRBAL PRASAD @ BIRBAL PRASAD SAH
@ BIRBAL PRASAD SAO @ BIRBAL SAH

APPELLANT(S)

VERSUS

THE STATE OF BIHAR

RESPONDENT(S)

J U D G M E N T

KURIAN, J.

Leave granted.

2. Heard the learned counsel for the appellant and the respondent/State of Bihar.

3. Taking note of the fact that the quantity involved in this case is only 14 Kgs. of Ganja, which is a non-commercial quantity, we had requested the learned counsel for the State to ascertain as to whether the appellant is involved in any other case.

4. Learned counsel appearing for the State, on instruction, has fairly submitted that the appellant is not involved in any other case.

5. In the above circumstances, we are of the view that the appellant should be released on bail, pending trial.

6. The appellant shall be released on bail on his executing a bond to the tune of Rs.10,000/- (Rupees Ten Thousand) with two sureties for the like amount, to the satisfaction of the Trial Court.

7. However, the appellant shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or otherwise interfere with the fair trial.

8. The appellant shall also appear before the concerned Station House Officer on the last Saturday of every month.

9. The appeal is, accordingly, disposed of.

10. Pending application(s), if any, shall stand disposed of.

.....J.
[KURIAN JOSEPH]

.....J.
[MOHAN M. SHANTANAGODAR]

NEW DELHI;
JANUARY 25, 2018

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). 8464/2017

(Arising out of impugned final judgment and order dated 18-07-2017 in CRLM No. 16237/2017 passed by the High Court Of Judicature At Patna)

BIRBAL PRASAD @ BIRBAL PRASAD SAH
@ BIRBAL PRASAD SAO @ BIRBAL SAH

PETITIONER(S)

VERSUS

THE STATE OF BIHAR

RESPONDENT(S)

(FOR ADMISSION and I.R. and IA No.113356/2017-EXEMPTION FROM FILING O.T.)

Date : 25-01-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. Shashwat Anand,Adv.
Mr. Jeewesh Prakash,Adv.
Mr. Prabhat Ranjan R.,Adv.
Mr. Shantanu Sagar, AOR

For Respondent(s) Mr. Abhinav Mukerji, AOR
Mrs. Bihu Sharma,Adv.
Ms. Purnima Krishna,Adv.
Mr. Siddharth Garg,Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed judgment.

(NARENDRA PRASAD)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed "Non-Reportable" Judgment is placed on the file)