

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 1277-1278 OF 2018
[@ SPECIAL LEAVE PETITION (CRL.) NOS. 4565-4566 OF 2018]

PINKU ETC.

Appellant (s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

WITH

CRIMINAL APPEAL NO(S). 1279 OF 2018
[@ SPECIAL LEAVE PETITION (CRL.) NOS. 5587 OF 2018]

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The appellants are aggrieved since their application(s) for suspension of sentence/for grant of bail has/have been rejected by the High Court. Their appeals filed in the year 2007 are still pending consideration before the High Court. There is no dispute that the appellants are in custody since 2005.

3. On a specific query, the learned Additional Advocate General appearing for the State has submitted that there are cases involving the appellants prior to the incident and the accused are otherwise facing trial in those cases.

4. We are also informed that one of the accused arising out of the same FIR has been released on bail by order dated 06.02.2018 passed by a Coordinate Bench of this Court in SLP (Cr1.) No. 6482 of 2017.

5. For all the above reasons, we are of the view that the appellants should be released on bail during the pendency of the appeals before the High Court. Accordingly, these appeals are allowed with a direction that the appellants be released on bail, subject to such strict conditions as may be imposed by the trial court, in case they are not otherwise required to be detained in connection with any other case. Ordered accordingly.

.....J.
[KURIAN JOSEPH]

.....J.
[S. ABDUL NAZEER]

New Delhi;
OCTOBER 11, 2018.