

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). _____ OF 2018
[@ SPECIAL LEAVE PETITION (CRL.) NO. 8856 OF 2018]

SHRIKANT MISHRA

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. The appellant has been convicted under Section 302/34 IPC on the file of Additional Sessions Judge, Gonda and has been sentenced to life imprisonment among other sentences. His appeal, being Criminal Appeal No. 1111 of 2008 has been pending before the High Court of Judicature of Allahabad, Lucknow Bench.
3. When the matter came up to this Court on admission, on 10.10.2018, we directed the appellant to produce the Custody Certificate. Accordingly, the appellant has produced the Custody Certificate from the Superintendent of Jail. It is seen from the Custody Certificate that the appellant has spent more than 11 years of actual period of sentence in jail and with remission, much more.

4. Be that as it may, since the appeal is yet to be taken up for final hearing before the High Court, we are of the view that during the pendency of the appeal before the High Court, the appellant be released on bail, subject to such rigorous conditions as may be fixed by the trial court. Ordered accordingly.

5. The appellant is directed to be released on bail during the pendency of the appeal before the High Court, subject to such rigorous conditions as may be fixed by the trial court, in case he is not required to be detained in any other case.

6. In view of the above, the appeal is disposed of.

.....J.
[KURIAN JOSEPH]

.....J.
[DEEPAK GUPTA]

.....J.
[HEMANT GUPTA]

New Delhi;
November 20, 2018.