



ITEM NO.8

COURT NO.5

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No.8708/2019

(Arising out of impugned final judgment and order dated 24-05-2019 in CRLAP No. 852/1983 passed by the High Court of Judicature at Allahabad)

VISHWANATH & ANR.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(IA No. 158671/2023 - GRANT OF BAIL)

Date : 11-10-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s) Mr. Gaurav Agarwal, Adv.
Ms. Shristi Gupta, Adv.
Mr. S K Garg, Adv.
Mr. Abhishek Sharma, AOR

For Respondent(s) Mr. Ardhendumauli Kumar Prasad, A.A.G.
Mr. Yasharth Kant, AOR

Mr. Anurag Dubey, Adv.
Ms. Anjali Tiwari, Adv.
Ms. Manisha Yadav, Adv.
Mr. Satpal Wadhwa, Adv.
Mr. S. R. Setia, AOR

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

Leave granted.

The appellant No.2 has filed the instant application
(I.A.No. 158671/2023) seeking grant of bail.

Though learned counsel for the respondent-State would oppose such prayer, keeping in view the fact that the incident is of the year 1978 and on conviction the appellant had undergone custody of five years and nine months with remission and he is aged about 68 years, we deem it appropriate that the sentence be suspended and the appellant be released on bail. Hence, we direct that the sentence shall remain suspended and the appellant No.2/Subhash shall be released on bail subject to appropriate conditions being imposed by the trial court to secure his presence as and when required.

For the said purpose, the appellant shall be produced before the trial court forthwith.

I.A.No. 158671/2023 for grant of bail is disposed of.

(RAJNI MUKHI)
COURT MASTER (SH)

(DIPTI KHURANA)
ASSISTANT REGISTRAR