

Such a direction was unsustainable.

4. In pursuance of the notice being issued by this Court on 7th January, 2019, learned Standing Counsel for the State of Bihar has appeared in these proceedings. He has submitted that the appellant may be directed to remain in custody for a period of nine months having regard to the sentence of possible imprisonment.

5. We find no merit in the submissions.

6. In the circumstances, we order and direct that the appellant be released on bail on the terms and conditions, as determined by the High Court in its impugned order dated 20th September, 2018, except for the direction that the release shall be after completion of nine months of custody, which is set aside.

4. The appeal is accordingly disposed of. Pending application, if any, shall stand disposed of.

.....J.
[Dr. DHANANJAYA Y. CHANDRACHUD]

.....J.
[HEMANT GUPTA]

New Delhi;
28th January, 2018.

ITEM NO.45

COURT NO.12

SECTION II-A

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).11175/2018

(Arising out of impugned final judgment and order dated 20-09-2018 in CRM No.57178/2018 passed by the High Court Of Judicature At Patna)

RAMESHWAR YADAV @ UMESH SINGH YADAV

Petitioner(s)

VERSUS

STATE OF BIHAR

Respondent(s)

(With appln. for exemption from filing O.T.)

Date : 28-01-2019 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Ardhendumauli Kumar Prasad, Adv.
Ms. Taruna Ardhendumauli Prasad, AOR
Mr. Namit Saxena, Adv.
Mr. Piyush Singh, Adv.
Mr. Amritesh Raj, Adv.
Mr. Vaibhav Shrivastava, Adv.

For Respondent(s) Ms. Shubhangi Rathore, Adv.
Mr. D.S. Parmar, Adv.
for Ms. Abha R. Sharma, AOR

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 order.

The appellant is directed to be released on bail on the terms and conditions, as determined by the High Court

in its impugned order dated 20th September, 2018, except for the direction that the release shall be after completion of nine months of custody, which is set aside.

(Saroj Kumari Gaur)
Branch Officer

(Sarita Purohit)
AR-cum-PS

(Signed order is placed on the file)