



ITEM NO.4

COURT NO.14

SECTION II

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). 14880/2023

(Arising out of impugned final judgment and order dated 19-12-2018
in CRLA No. 298/1997 passed by the High Court of Judicature at
Allahabad)

ARVIND & ORS.

PETITIONER(S)

VERSUS

THE STATE OF UTTAR PRADESH

RESPONDENT(S)

(IA No. 236940/2023 - EXEMPTION FROM FILING O.T.
IA No. 88029/2024 - GRANT OF BAIL)

Date : 07-06-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. S. R. Setia, AOR

Mr. Anurag Dubey, Adv.
Mr. K.B. Upadhyay, Adv.
Mr. Manmohan, Adv.
Mr. Shailesh Tiwari, Adv.
Mr. S.N.tripathi, Adv.
Mr. S.D. Mishra, Adv.
Ms. Kalpana, Adv.
Mr. Pushkar Anand, AOR

For Respondent(s) Mr. Arup Banerjee, AOR
Mr. Sri Ram Veluru., Adv.
Mr. Prakash Sharma., Adv.

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

Leave granted.

Interlocutory application No.88029 of 2024 has been preferred seeking grant of bail to Appellant No.1-*Arvind* and Appellant No.2-*Jai Prakash* in respect to Case Crime No.123/1990 dated 04.10.1990 under Sections 147, 149 and 302 of IPC registered at Police Station Gursarai, Jhansi.

It is argued that one of the appellant i.e. Appellant No.3-*Madan* died on 02.04.2024 while in custody due to kidney failure, and the present appellants No. 1 and 2 are also suffering from kidneys ailment. This facts has not been denied rather admitted in the medical report filed by the respondent.

Considering the ailment and for the fact that the appellant No.1- *Arvind* and Appellant No.2-*Jai Prakash* are in jail from 01.06.2019 i.e. for more than five years, we are inclined to release the appellant No.1 and appellant No.2 on bail.

Appropriate bail conditions shall be imposed by the Trial Court while releasing the appellants.

In the light of the aforesaid, I.A. No.88029 of 2024 stands disposed of.

List the matter in due course.

(JAGDISH KUMAR)
COURT MASTER (SH)

(POONAM VAID)
COURT MASTER (NSH)