

ITEM NO.19

COURT NO.13



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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 555/2023

(Arising out of impugned final judgment and order dated 23-11-2022 in CRLM No. 63090/2022 passed by the High Court Of Judicature At Patna)

RAVISH KUMAR

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

IA No. 7941/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 7943/2023 - EXEMPTION FROM FILING O.T.)

Date : 15-03-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Mr. Satya Kam Sharma , AOR
Mr. Prashant Kumar, Adv.

For Respondent(s) Mrs. Niranjana Singh, AOR
Mr. Saket Singh, Adv.

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

The petitioner was denied anticipatory bail. A First Information Report was lodged alleging that he had committed offences under Sections 366, 376A 342 and other offences under the Indian Penal Code. After investigation, a final report was filed which absolved him of involvement in any crime. The competent court directed registration of an FIR and took cognizance.

The petitioner's application for anticipatory bail was rejected under these circumstances.

After considering the submission of parties, this Court is of the opinion that having regard to the peculiar circumstances of this case, the petitioner deserves to be enlarged on anticipatory bail, subject to such terms and conditions as the trial court may impose. We notice that in this case, there is no mention of the offences the petitioner is charged with.

Before parting with this case, this Court notices that the format of orders by various High Courts in bail proceedings differs significantly. In many instances, the orders do not contain any description of the proceedings pending before the trial court there; at times, no advertence to the nature of the offence alleged in the FIR etc. This Court is of the opinion that in bail/anticipatory bail matters, High Courts should endeavour to ensure that all basic essentials (i.e. FIR No., Date, the concerned police station and the offences allegedly committed etc.) are duly recorded or reflected in the format of the order. This order shall be circulated to all the High Courts through their Registrars.

The special leave petition is disposed of.

Pending application(s), if any, are disposed of.

(HARSHITA UPPAL)
SENIOR PERSONAL ASSISTANT

(MATHEW ABRAHAM)
COURT MASTER (NSH)