

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.57/2018
(ARISING FROM SLP (Cr1) NO.277 OF 2016)

UPENDRA SHARMA

APPELLANT (S)

VERSUS

STATE OF BIHAR & ANR.

RESPONDENT (S)

J U D G M E N T

KURIAN, J.

Leave granted.

2. The challenge is against the order dated 27.11.2015 by which the High Court has issued non-bailable warrants of arrest on the appellant herein on an application filed by Respondent No.2 for cancellation of the regular bail granted by the Trial Court.

3. Going by the procedure under law, we find no justification for the Court issuing non-bailable warrant of arrest of the appellant herein on the application filed by Respondent No.2. The impugned order is set aside. The appellant may appear before the High Court and contest the application. The Court is free to pass orders on the merits of the application.

4. The appeal is allowed, as above.

5. Pending applications, if any, shall stand disposed of.

6. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[AMITAVA ROY]

NEW DELHI;
JANUARY 10, 2018