

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL No.2057 OF 2008
(arising out of S.L.P.(CRL.)NO.6912/2008)

MD. KASIM

... Appellant(s)

Versus

STATE OF BIHAR

... Respondent(s)

ORDER

Leave granted.

This appeal is directed against the order of the Patna High Court dated 11.8.2008, rejecting the appellant's prayer for grant of bail, during the pendency of the appeal. It is submitted by Mr. Samir Ali Khan, learned advocate, appearing for the appellant that out of the sentence of 5 years, the appellant has already undergone sentence of four years

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JUDGMENT

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imprisonment. In that view of the matter, the appellant be released on bail to the satisfaction of the trial court during the pendency of the appeal.

The appeal is allowed.

**.....J.
(ALTAMAS KABIR)**

**.....J.
(MARKANDEY KATJU)**

**New Delhi,
December 17, 2008.**

