

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL Nos.1003-1004 OF 2009
[Arising out of SLP(Crl.) Nos.6260-6261 of 2008]

BIVASH CHANDRA DEBNATH @ PATAL & ORS.

... Appellant(s)

Versus

STATE OF WEST BENGAL

... Respondent(s)

ORDER

Leave granted.

These appeals are directed against an order passed by the Division Bench of the Calcutta High Court on 9th June, 2008 in CRA. No.235 of 1994, canceling the bail granted to the appellants during the pendency of the appeal. The only ground on which the bail was cancelled is that on 9th June, 2008, the appellants went unrepresented. No other ground has been given for cancelling the bail.

In our view, this order of the Division Bench of the High Court cannot be sustained since on the date in question, the names of the learned counsel representing the appellants had not been indicated in the cause list. Furthermore, there is also no reason given for cancellation of the bail. Accordingly, the said order is set aside, the order granting bail to the appellants on 26th September, 1994,

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is restored.

The appeals are disposed of.

.....J.
(ALTAMAS KABIR)

.....J.
(CYRIAC JOSEPH)

New Delhi,
May 11, 2009.

