

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

CRIMINAL APPEAL NO.477 OF 2009
[Arising out of SLP(Crl.)No.184 of 2009]

LALAN PRASAD

... Appellant(s)

Versus

STATE OF BIHAR

... Respondent(s)

ORDER

Delay condoned.

Leave granted.

State of Bihar has appeared pursuant to notice.

By the order dated 08/08/2008 passed by the Patna High Court in Crl.Misc.No.32796 of 2008, impugned in the present appeal, the appellant's prayer for grant of bail has been rejected, with liberty to renew his prayer before the court below after completing one year in jail custody.

Learned counsel appearing for the appellant, however, submits that after the impugned order had been passed, one Surender Prasad and one Mukesh Prasad had been released on bail on 13/8/2008 and 21/08/2008 respectively, in respect of the same allegations.

In that view of the matter, having considered the submissions made, we modify the order of the High Court and since the appellant has already been in

The appeal is disposed of with the aforesaid modification.

.....J.
(CYRIAC JOSEPH)

JUDGMENT