

Manjoor Khan

Vs

State of Bihar and Another

Criminal Appeal No. 759 of 1997

(M.K. Mukherjee, K.T. Thomas JJ)

19.08.1997

ORDER

1. Leave granted. Heard the learned counsel for the parties.
2. Since the appellant has a right under the Code of Criminal Procedure to pray for bail as and when he intends to, the High Court could not have debarred him from exercising his such right for one year. Of course, whether such prayer would be entertained or not, it is for the High Court to decide but it cannot prevent an accused from seeking his release on bail. We, therefore, quash the impugned order to the above extent.
3. The appeal is thus allowed.