

CrPC S. 439 - Bail - At the stage of granting bail the Court is not required to enter into a detailed analysis of the evidence in the case. Such an exercise may be undertaken at the stage of trial - Once bail has been granted, the Appellate Court is usually slow to interfere with the same as it pertains to the liberty of an individual.

Held, S. 439 - Bail - Case relates to whether the High Court has exercised the discretionary power under Section 439 CrPC in granting bail appropriately - Such an assessment is different from deciding whether circumstances subsequent to the grant of bail have made it necessary to cancel the same. The first situation requires the Court to analyze whether the order granting bail was illegal, perverse, unjustified or arbitrary. On the other hand, an application for cancellation of bail looks at whether supervening circumstances have occurred warranting cancellation.

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