

Bail - Cancellation - Reasonings - Scope of the power to be exercised in the matter of cancellation of bails - It is necessary to examine whether the order passed by the Sessions Court granting bail is perverse and suffers from infirmities which has resulted in the miscarriage of justice - What is of essence is that the record of the case ought to have been perused by the court granting bail - The facts of the said case are that a complaint was lodged against fifteen persons for offences under Sections 148, 120B, 302 read with Section 149 of the Indian Penal Code, 1860 - The accused moved an application seeking bail before the Principal Sessions Judge, who, after perusal of the case diary, statements of witnesses and other connected records, released the accused on bail through an order which did not elaborately discuss the material on record - The High Court cancelled the bail bond on the ground that the Principal Sessions Judge had not discussed the material on record in the order granting bail - In an appeal preferred by the accused before this Court, the order granting bail was restored and the following observations were made as to the duty of the court to record reasons and discuss the material on record before granting bail

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