



Bail - Court distinguished between setting aside a perverse order granting bail vis-a-vis cancellation of bail on the ground that the accused has misconducted himself or because of some new facts requiring such cancellation.

[PRINT / DOWNLOAD PDF](#)

Bail - Court made observations with respect to the exercise of appellate power to determine whether bail has been granted for valid reasons as distinguished from an application for cancellation of bail. i.e. Court distinguished between setting aside a perverse order granting bail vis-a-vis cancellation of bail on the ground that the accused has misconducted himself or because of some new facts requiring such cancellation.

The High Court has failed to notice relevant circumstances bearing on the seriousness and gravity of the crime and the role attributed to the second respondent. The High Court has proceeded on the erroneous basis that no overt act has been assigned to the second respondent. There was no change in circumstances warranting the grant of bail.

read **HERE** [2021 SCeJ 1354](#)

Tags: [Bail](#), [Bail - cancellation](#), [Bail - Setting aside](#), [Bail - Setting aside and cancellation](#), [CrPC S. 438](#), [CrPC S. 439](#)