
(2000) 02 SC CK 0056

In the Supreme Court Of India

Case No : Criminal Appeal No Slp (Crl.) No. 4018 Of 1999

Rajesh Ranjan

APPELLANT

Vs

State of Bihar and Another

RESPONDENT

Date of Decision : 04-02-2000

Acts Referred:

Citation : AIR 2000 SC 3574(1) : (2000) 70 ECC 407 : (2000) 92 ECR 449 : (2000) 120 ELT 290 : (2000) 8 JT 135 : (2002) 9 SCC 559

Hon'ble Judges : S. N. Phukan, J;G. T. Nanavati, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

1. The petitioner Rajesh Ranjan is an elected Member of Parliament. He has not taken oath so far and unless he is allowed to take oath, he is likely to lose his membership of Parliament. We, therefore, direct the State of Bihar and other authorities concerned to take the petitioner to Parliament Police Station on 23/2/2000 at 10.00 a.m. Officers taking the petitioner to Parliament Police Station shall hand him over to the appropriate staff of the Lok Sabha Secretariat so that they may take the petitioner to the Speaker of the Lok Sabha or the designated officer for the purpose of taking oath on that day. The petitioner shall also be permitted to attend the proceedings of Parliament on that day. Learned Solicitor General states that after the petitioner is given the oath and after he attends Parliament session on that day, the Secretariat of Parliament will hand him over back to the authorities who shall then take him back to the place of custody.

2. We also direct the authorities to permit the petitioner to make recommendations for utilisation of the grant which he may get as an MP after he takes oath.

3. If any application for bail is made by the petitioner in future then the said application will have to be decided on its own merits without being influenced by

the fact that his earlier special leave petition was dismissed.

4. The special leave petition is disposed of accordingly.