
(2020) 09 JH CK 0219

In the Jharkhand High Court

Case No : Bail Application No. 7004 Of 2020

Afijul Ansari @ Hafijul Ansari

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 29-09-2020

Acts Referred:

Citation : (2020) 09 JH CK 0219

Hon'ble Judges : Ananda Sen, J

Bench : Single Bench

Advocate : Nirupama, Nehala Sharmin

Final Decision : Allowed

Judgement

Heard learned counsel for the petitioners and the learned A.P.P. for the State, through Video Conferencing. The lawyers have no objection with regard to the proceeding which has been held through video conferencing today at 11.00 a.m.. They have no complain with respect to the audio and video clarity and quality.

Counsel for the petitioner prays for ignoring the defects and to take up this matter on merits. Accordingly, the defects are ignored for the present.

Petitioner is an accused for allegedly committing an offence punishable under Section 392 of the Indian Penal Code, in connection with Mahuatand Police Station Case No.34 of 2019 corresponding to G.R. No.1012 of 2019, pending in the Court of learned Sub Divisional Judicial Magistrate, Bermo at Tenughat.

Petitioner is in custody since 26.06.2020. Chargesheet has already been submitted in this case. Counsel for the petitioner, by referring to paragraph 9 of the application, submits that the petitioner was not put on Test Identification Parade. Nothing has been recovered from the possession of this petitioner. He was arrested in another case wherein he confessed about his involvement in the instant case.

Considering the aforesaid materials and the fact that the petitioner was not put

on Test Identification Parade and chargesheet has already been submitted, I am inclined to grant bail to the petitioner. Accordingly, petitioner, namely, Afijul Ansari @ Hafijul Ansari, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Bermo at Tenughat in connection with Mahuatand Police Station Case No.34 of 2019 corresponding to G.R. No. 1012 of 2019, subject to the condition that one of the bailers must be a close relative of the petitioner having sufficient landed property in his/her name and with a further condition that the petitioner shall appear and mark his attendance before the Officer-in- Charge, Mahuatand Police Station, Bokaro once a month, failing which the Officer-in-Charge concerned shall take all steps for his re-arrest.

I direct the Jail Authority that before releasing the petitioner from jail, the Jail Authority should get the petitioner tested for COVID-19. If the report is positive, then the District Administration will immediately take steps to isolate the petitioner and get him treated in the COVID Centre by following all the protocols.

This direction is given in the larger public interest and it should not be construed as a condition of bail.