

(2011) 04 JH CK 0173

In the Jharkhand High Court

Case No : Criminal Appeal (DB) No's. 228 and 258 of 2011

Aliman Bibi and Ismail Ansari

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 26-04-2011

Acts Referred:

Citation : (2011) 04 JH CK 0173

Hon'ble Judges : Rakesh Ranjan Prasad, J; R.K. Merathia, J

Bench : Division Bench

Judgement

1. Heard on the prayer for bail and perused the lower court records.
2. It is submitted that so far as the Appellants in Cr. Appeal No. 228/2011 are concerned, it has come in paragraph 28 of the impugned judgment that there is doubt that they were present at the time of occurrence since no witness has stated about their presence and moreover they are aged mother in law and father in law respectively.
3. In the circumstances, Appellants namely Aliman Bibi and Ismail Ansari are directed to be released on bail, during pendency of the appeal, on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of trial court/ Additional Sessions Judge, FTC-I, Garhwa, in Sessions Trial No. 237 of 2008, on the conditions that one of the bailers will be their close relative and other should have landed property within the jurisdiction of the Court.
4. So far as Appellant Naseem Ansari (husband) in Cr. Appeal No. 258 of 2011 is concerned, it is submitted that all the witnesses except the doctor have been declared hostile including the informant, who is the father of the deceased.
5. On going through the records, we are satisfied that prima facie the prosecution has proved its case so far as this Appellant is concerned. Accordingly, prayer for bail of the Appellant-Naseem Ansari is rejected.