
(2011) 03 JH CK 0157
In the Jharkhand High Court
Case No : A.B.A. No. 4809 of 2010

Jahid Khan @ Md. Jahid Khan

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 18-03-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 438(2)

Citation : (2011) 03 JH CK 0157

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Judgement

R.K. Merathia, J.—Heard

2. It is submitted by Mr. K.P. Deo that prayer for anticipatory bail of Petitioner No. 1 - Jahid was not pressed on 04.10.2010 in earlier anticipatory bail application but from the letter dated 20.10.2010 issued by the office of the Executive Magistrate to the S.D.O., Madhupur, it will appear that the dispute was going on between the villagers with regard to the land on which school was to be constructed and with regard to the office bearers of the committee, and therefore, the chances of false implication of Petitioner cannot be ruled out. It is further submitted that the relatives of the Petitioner are studying in the school in question; and that the Petitioner is ready to abide by any terms and conditions which may be imposed on him for grant of anticipatory bail.

3. In the circumstances, the Petitioner above named is directed to deposit a fixed deposit receipt obtained in his own name of Rs. 10,000/-(Rs. Ten thousand only) without prejudice and subject to final decision of the case and surrender in the court below within two weeks and pray for bail, and in that event, he shall be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each, to the satisfaction of the Sub-Divisional Judicial Magistrate, Madhupur in connection with Madhupur P. S. Case No. 107 of 2010 corresponding to G. R. No. 264 of 2010, subject to the conditions as laid down u/s 438(2) of the Code of Criminal Procedure on further conditions that (I) one of

the bailors will be close relative of the Petitioner, & (II) another bailor will have landed property within the jurisdiction of the court.

4. The Petitioner will keep the said fixed deposit renewed from time to time.