

(2020) 08 JH CK 0056
In the Jharkhand High Court
Case No : Bail Application No. 4818 of 2020

Md. Amir Ali @ Md. Aamir

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 10-08-2020

Acts Referred:

Indian Penal Code, 1860 — Section 364(A), 379

Citation : (2020) 08 JH CK 0056

Hon'ble Judges : Kailash Prasad Deo, J

Bench : Single Bench

Advocate : Raja Ravi Shekhar Singh, Rajesh Kumar

Judgement

Learned counsel for the petitioner has submitted that though there are defects being defect nos.5(a) and 9(i) to 9(iv) in the bail application as pointed

out by the stamp reporting dated 06.07.2020 but he has filed an undertaking that he shall remove the defects after the lockdown period is over and the

bail application may be heard as it is a regular bail in which petitioner is in custody since 28.05.2020. Considering the same, this Court is inclined to

hear the bail application on merit but with condition that petitioner shall remove the defects within 30 days after the lockdown period is over.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the lockdown period is over so as to remove the defects. Heard,

learned counsel for the petitioner, Mr. Raja Ravi Shekhar Singh and learned counsel for the State, Mr. Rajesh Kumar.

Learned counsel for the petitioner has prayed for grant of regular bail in connection with Sahibganj (M) P.S. Case No.56 of 2020, for the offence

registered under Sections 364(A)/379 IPC.

Learned counsel for the petitioner has submitted that this petitioner has alleged to have fled away from the spot, but during investigation his name got transpired in the confessional statement of the co-accused and till date the petitioner has not been put on TIP though the petitioner is in custody since 28.05.2020.

Learned counsel for the State has opposed the prayer for bail and has submitted that the case diary and criminal antecedent report of the petitioner are necessary to be filed in this case as it is a case of kidnapping in which victim was recovered immediately after the occurrence.

Considering the same, learned counsel for the State is directed to file a detail counter-affidavit annexing therewith the criminal antecedent report of the petitioner along with materials brought in the case diary including the statement of the victim.

Put up this case after four weeks along with another analogous cases arising out of the same police station.