
(2020) 08 JH CK 0034
In the Jharkhand High Court
Case No : B.A. No. 4830 of 2020

Md. Amir Ali @ Md. Amir

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 10-08-2020

Acts Referred:

Indian Penal Code, 1860 — Section 357, 364A, 379
Arms Act, 1959 — Section 25(1b)a, 26, 27, 35

Citation : (2020) 08 JH CK 0034

Hon'ble Judges : Kailash Prasad Deo, J

Bench : Single Bench

Advocate : Raja Ravi Shekhar Singh, Rakesh Kumar

Judgement

Learned counsel for the petitioner has submitted that there is defect(s) being defect No.9(i) in the instant bail application, as pointed out by the Stamp

reporting dated 06.07.2020, but he has given an undertaking that he shall remove the defect(s) after the lockdown period is over and the bail

application may be heard as it is a regular bail in which the petitioner is in custody.

Considering the same, this Court is inclined to hear the bail application on its merits, but with condition that petitioner shall remove the defect within 30

days after the lockdown period is over.

Joint Registrar (Judicial) is directed to ensure the compliance of this order within 30 days after the lockdown period is over so as to remove the

defect(s).

Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner, who is accused for offence under Section 357 of the Indian Penal

Code and Section 25(1-b)a/26/27/35 of the Arms Act, 1959, prays for regular bail in connection with Sahibganj (M) P.S. Case No.57 of 2020.

Learned counsel for the petitioner has submitted that the FIR has been lodged against six named accused persons and the name of the petitioner got transpired on the basis of confessional statement disclosed by the apprehended accused and the petitioner has been falsely implicated in this case.

Learned counsel for the State has opposed the prayer for regular bail as this petitioner is also accused in connection with Sahibganj (M) P.S. Case

No.56 of 2020 registered under Sections 364A, 379 of the Indian Penal Code. Further learned counsel for the State has submitted that the petitioner

absconded from the from the place of occurrence and his involvement was found in the present case, as such, a detail counter- affidavit is required to

be filed in this case. Petitioner's another bail application vide B.A. No. B.A. No.4818 of 2020 is pending before this Hon'ble Court.

Considering the rival submissions of the parties, learned counsel for the State is directed to file counter-affidavit along with the criminal antecedent report of the petitioner.

Put up this case after four weeks along with B.A. No.4818 of 2020.