

(2017) 08 JH CK 0027
In the Jharkhand High Court
Case No : 3820 of 2017

National Insurance Company Limited

APPELLANT

Vs

Asma Khatoon & Ors

RESPONDENT

Date of Decision : 24-08-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 82](#), [Section 83](#) - Proclamation for person absconding - Attachment of property of person absconding
[Indian Penal Code, 1860](#), [Section 176](#)

Citation : (2017) 08 JH CK 0027

Hon'ble Judges : Shree Chandrashekhar

Bench : SINGLE BENCH

Advocate : Bijay Kumar Sinha, Ravi Prakash

Final Decision : Allowed

Judgement

1. Heard the learned counsels appearing for the parties and perused the documents on record.
2. The petitioner has been made accused in Sadar(Gonda) P.S.Case No.36/2016, corresponding to G.R. No.1100/2016 [S.T.Case No.701/2016] registered under section 364-A IPC .
3. Referring to orders granting bail to co-accused namely, Sahavir Oraon @ Kalia Oraon, Babloo @ Sanjeet Oraon and Anil Kumar Minz by the co-ordinate Benches of this Court, the learned counsel for the petitioner submits that the petitioner, who is in judicial custody since 22.03.2017, deserves bail in the instant case. It is stated that the petitioner has no criminal antecedent (supplementary affidavit dated 07.08.2017).
4. Opposing the prayer for grant of bail, Mr. Ravi Prakash, the learned APP submits that only after processes under section 82 and 83 Cr.P.C were issued, the petitioner surrendered in the Court.

5. The petitioner was not named in the F.I.R and his complicity in the crime came in the light only when co-accused namely, Binod Oraon gave his confessional statement on 17.07.2016

6. Considering the orders granting bail to other co-accused persons, the petitioner, namely, Mehendi Ansari @ Mahendi 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 learned Additional Judicial Commissioner-VII, Ranchi, in connection with Sadar(Gonda)

P.S.Case No.36/2016, corresponding to G.R. No.1100/2016 [S.T.Case No.701/2016], on the conditions that he shall appear before the trial court regularly; he shall not change his place of residence without permission of the court and he shall be physically present in the office of the Sr. Superintendent of Police, Ranchi on every Sunday between 9 a.m. to 10 a.m. A report in this regard and on his subsequent conduct shall be transmitted from the office of the Sr. Superintendent of Police, Ranchi to the trial court, every month.

7. This application is allowed. Let a copy of this order be sent to the trial court through FAX.