
(2011) 08 JH CK 0043
In the Jharkhand High Court
Case No : B.A. No. 4816 of 2011

Sahud Ansari @ Saud Ansari

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 19-08-2011

Acts Referred:

Arms Act, 1959 — Section 27
Penal Code, 1860 (IPC) — Section 302, 34, 380

Citation : (2011) 08 JH CK 0043

Hon'ble Judges : Jaya Roy, J

Bench : Single Bench

Judgement

Jaya Roy, J.—Heard learned Counsel for the Petitioner and learned Counsel for the State.

2. The Petitioner is an accused in a case for the offence registered under Sections 302, 380/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned Counsel for the Petitioner submits that the prayer for bail of the Petitioner was earlier rejected by this Court and Petitioner is in custody since January 2009 i.e. more than two and half years. It is also contended that the Petitioner is not named in the F.I.R. and another co-accused, namely, Masir Ansari @ Masir Mian, who is named in the F.I.R. has already been granted bail by another Bench of this Court in B.A. No. 8997 of 2010 vide order dated 07.04.2011.

4. A report was called from the court concerned regarding the stage of the trial. Report has come, which shows that seven witnesses have already been examined by the prosecution and four witnesses are still to be examined.

5. From the impugned order, I find that seven witnesses mentioned in the charge sheet have been examined, but all of them have been declared hostile except P.W.6.

6. Considering the fact that the Petitioner is in custody for more than two and half years and considering all these aspects as stated above, Petitioner, above named, is directed to be released on bail, on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of like amount each to the satisfaction of District & Sessions Judge, Garhwa in connection with Ranka P.S. Case No. 93 of 2008 corresponding to G.R. No. 1060 of 2008 (S.T. No. 45 of 2009, 172 of 2009), subject to the condition that the Petitioner will remain physically present before the trial Court on each and every date of the trial till conclusion of the trial and one of the bailors will be his close relative and another will be of local resident having immovable property within the jurisdiction of the trial court.