

(2024) 05 JH CK 0062

In the Jharkhand High Court

Case No : Bail Application No. 432 Of 2024

Shahjad Pawariya @ Ansari @ Sahjad

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 17-05-2024

Acts Referred:

Indian Penal Code, 1860 — Section 201, 302

Citation : (2024) 05 JH CK 0062

Hon'ble Judges : Deepak Roshan, J

Bench : Single Bench

Advocate : Faruque Ansari, Suraj Deo Munda

Judgement

Deepak Roshan, J

1. Heard learned counsel for the petitioner and learned.
2. The petitioner has approached this Court for grant of regular bail in connection with Chhattarpur P.S. Case No. 142 of 2021, corresponding to S.T. No. 488 of 2023, registered for the offence under Sections 302, 201 of the Indian Penal Code, pending in the Court of learned Additional Sessions Judge-VI, Palamau at Daltonganj.
3. Learned counsel for the petitioner submits that after rejection of his earlier bail application, a development took place; inasmuch as the co-accused, namely, Imtayaz Ansari @ Imtayaj Ansari has been granted bail by the co-ordinate Bench of this Court in B.A. No. 2844 of 2024 and the case of this petitioner is on better footing and for no offence, he is lying in custody since 26.05.2023 and he is ready to abide by every conditions imposed by this court; as such the petitioner may be enlarged on bail.
4. Learned A.P.P. opposed the prayer for bail of the petitioner, however he fairly submits that the allegation of this petitioner with that of Imtayaz Ansari @ Imtayaj Ansari is almost same and similar and the co-accused has been granted

bail by the co-ordinate Bench of this Court.

5. Having regard to the aforesaid submission and looking to the allegation made against this petitioner and also the period of custody; I am inclined to enlarge the petitioner on bail. Accordingly, the above-named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Palamau at Daltonganj, in connection with Chhattarpur P. S. Case No. 142 of 2021, corresponding to S.T. No. 488 of 2023, subject to the following conditions:

(i) Petitioner shall not in any manner threaten the witnesses and/or do anything which will hamper the trial.

(ii) He shall appear before the learned trial court on each and every date during the trial unless exempted by the Trial court on being satisfied with the causes shown by the petitioner in this regard.

If any of the condition is not fulfilled by the petitioner, the learned trial court would be at liberty to cancel the bail of the petitioner.