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**(2011) 03 JH CK 0078**  
**In the Jharkhand High Court**  
**Case No : B.A. No. 1451 of 2011**

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|----------------------------------|------------|
| Shamshad Khan @ Md. Shamsad Khan | APPELLANT  |
| Vs                               |            |
| The State of Jharkhand           | RESPONDENT |

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**Date of Decision :** 29-03-2011

**Acts Referred:**

Penal Code, 1860 (IPC) — Section 120B, 413, 414, 467, 468

**Citation :** (2011) 03 JH CK 0078

**Hon'ble Judges :** Narendra Nath Tiwari, J

**Bench :** Single Bench

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## Judgement

Narendra Nath Tiwari, J.—The Petitioner is an accused in the case registered for the offence under Sections 413, 414, 467, 468, 471 and 120(B) of the Indian Penal Code.

2. Learned Counsel for the Petitioner submitted that the Petitioner has been falsely implicated in the case; he is the registered owner of the truck No. NL-05D-6968; the allegation is that on the date of occurrence, the truck was intercepted and found loaded with coal without any valid and legal paper; the allegation is wholly baseless; the Petitioner's truck was hired for transportation and the paper was also produced, but the police with ulterior malafide implicated this Petitioner and other persons; co-accused-Ramadhin Rawani, Upendra Rai, Iqbal Khan and Sajjan Singh with similar allegation have been granted bail by this Court, as has been stated in paragraphs-15 and 16 of this application; Petitioner is a local permanent resident; there is no chance of his absconding.

3. Learned APP opposed the prayer for bail of the Petitioner and submitted that the Petitioner is a resident of State of West Bengal and there is likelihood of his absconding, if he is released on bail.

4. Regard being had to the facts and circumstances of the case, the above named Petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the

satisfaction of learned Judicial Magistrate, Dhanbad in connection with Govindpur P.S. case No. 197 of 2010, corresponding to G.R. Case No. 1829 of 2010 with the condition that the bailors on behalf of the Petitioner must be the local permanent residents of the place within the territorial jurisdiction of learned court below and that the Petitioner shall physically appear on all the dates in the case as and when his personal appearance is required in the court below.