

Jamshed Alam @ Jamsher Alams vs The State Of Jharkhand on 29 October, 2021

Bench: R. Subhash Reddy, Hrishikesh Roy

ITEM NO.25

Court 12 (Video Conferencing)

SEC

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Petition for Special Leave to Appeal (Crl.) No. 5507/2020

(Arising out of impugned final judgment and order dated 02/04-09-2020 in BA No. 4850/2020 passed by the High Court of Jharkhand at Ranchi)

JAMSHED ALAM @ JAMSHER ALAMS

Petition

VERSUS

THE STATE OF JHARKHAND

Responde

(FOR ADMISSION and I.R. IA No. 114762/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 114760/2020 - EXEMPTION FROM FILING O.T. and IA No. 96598/2021 - GRANT OF BAIL)

Date : 29-10-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s)

Mr. Rajan Raj, Adv.
Ms. Mohini Priya, AOR

For Respondent(s)

Mr. Rajiv Shankar Dvivedi, Adv.
Mr. Anando Mukherjee, AOR
Mr. Shwetank Singh, Adv.
Mr. Zain A. Khan, Adv.
Ms. Ekta Bharati, Adv.

UPON hearing the counsel the Court made the following
O R D E R

We have heard learned counsel for the petitioner and the respondent – State.

The petitioner herein, is sought to be prosecuted for the offences under Sections 17 and 18 of the NDPS Act. He was arrested on 8th August, 2018 in connection with FIR No.124 of 2018 on the file of Latehar P.S., Jharkhand.

During the course of hearing, it is brought to our notice that Reason:

son of the petitioner, who was juvenile on the date of occurrence, was also co-accused along with the petitioner. He was ...2/-

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tried by the Juvenile Board and was acquitted. Further, it is stated that all the listed witnesses are Police Officers and there is no independent witness. So far, only one witness was examined in the year 2020 and thereafter, no progress in the trial.

Considering the above said aspects and having regard to the facts and circumstances of the case, and keeping in mind the quantity of contraband seized, we deem it appropriate a fit case for grant of bail. Accordingly, we set aside the impugned order and order release of the petitioner on bail, subject to such conditions to be imposed by the Trial Court.

The Special Leave Petition is disposed of. All pending applications shall stand disposed of.

(RAJNI MUKHI)
COURT MASTER (SH)

(DIPTI KHURANA)
BRANCH OFFICER