

Jharkhand High Court

Vijay Kumar vs State Of Jharkhand on 28 March, 2011

IN THE HIGH COURT OF JHARKHAND, RANCHI.

B.A. No. 2178 of 2011

Vijay Kumar .

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Versus

State of Jharkhand

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CORAM :- HON'BLE MR. JUSTICE D.K. SINHA

For the Petitioner

:- Mr.C.S. Prasad

For the State

:- A.P.P..

3/28.3.2011

. The petitioner is in custody since 22.7.2010 who stands charged for the offence under sections 302/120B of the Indian Penal Code as also under section 27 of the Arms Act. His prayer for bail was twice permitted to be withdrawn earlier by this court, however, with the liberty to renew his prayer in future. Pursuant to such liberty the petitioner has renewed his prayer.

Mr. C.S. Prasad, the learned counsel submits that the complicity of the petitioner appeared in the confessional statement of the co-accused Uma Shankar Singh which was recorded under section 164 of Cr.P.C before the Judicial Magistrate. As there was no legal evidence against the co-accused Uma Shankar Singh and that the informant not being an eye witness was not examined, Uma Shankar Singh was admitted to bail by a coordinate Bench of this Court in B.A. No. 9085 of 2010 on 8.3.2011. There is no legal evidence against the petitioner, the learned counsel added.

In the circumstances, the petitioner Vijay Kumar is directed to be released on executing bail bond of Rs. 15,000/- (Rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the Additional Judicial Commissioner, FTC X Ranchi in S.T. No. 768 of 2009 arising out of Doranda P.S. Case No. 255 of 2009 corresponding to G.R. No. 2731 of 2009 with the conditions that the bailors would be his near relatives and he would appear in the court concerned regularly.

(D.K.Sinha, J) SD