

Jharkhand High Court

Rustum Ansari vs State Of Jharkhand on 25 April, 2011

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.8033 of 2010

Rustam Ansari Petitioner

-Versus-

The State of Jharkhand Opposite Party.

CORAM : HON'BLE MR. JUSTICE NARENDRA NATH TIWARI

For the Petitioner : Mr. B.K. Dubey, Advocate

For the State : A.P.P.

4/25.04.2011

: The petitioner is an accused in the case registered under Sections 498A/304B/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been falsely implicated in this case after the deceased died due to taking wrong medicine by mistake; though the F.I.R. was registered under Section 304B I.P.C. amongst others, the Police on investigation did not find any material in support of the allegation constituting offence under Section 304B I.P.C.; in the case diary it has clearly come in paragraph-25 that the deceased by mistake had taken pesticide in place of medicine; petitioner is a local permanent resident; there is no chance of his absconding; he is in custody since August, 2010.

Learned A.P.P. opposed the petitioner's prayer for bail, but after going through the case diary, has not controverted the said contentions of learned counsel for the petitioner.

Regard being had to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount, each, to the satisfaction of learned Chief Judicial Magistrate, Chatra in connection with Chatra Sadar P.S. Case No. 98 of 2010, corresponding to G.R. No.460 of 2010.

(Narendra Nath Tiwari, J.) Shamim/