#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12462 of 2021

Intaj Mian @ Imtiyaj Ansari ..... ... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner :

: Mr. Shahid Yunus, Advocate

For the State : A.P.P.

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02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Intaj Mian @ Imtiyaj Ansari with a prayer to release him on bail in case crime being Sonaraithari P.S. Case No. 58 of 2021 corresponding to POCSO Case No. 36 of 2021 registered for the offence under Sections 376 of the Indian Penal Code and Section 4 of POCSO.

Learned counsel for the petitioner has submitted that the F.I.R of this case was lodged by the victim herself in regard to committing rape by the petitioner and on being alarmed; her aunt Halima Bibi attracted there and saw the occurrence. It is further submitted that the petitioner has been falsely implicated in this case on account of enmity of previous litigation.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that the victim has lodged the F.I.R in regard to committing the rape against the petitioner and she has supported the F.I.R in her statement under Section 164 of the Cr.P.C. and her statement is corroborated with the statement of Halima Bibi, who is the aunt of the victim. The victim is minor of 15 years.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be rejected. Accordingly, the prayer for bail of the petitioner is hereby rejected.

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12463 of 2021

Sunil Paswan ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mr. Manoj Kr. Choubey, Advocate

For the State : A.P.P.

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02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the petitioner has submitted that the same may be ignored.

Defects are hereby ignored.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Sunil Paswan with a prayer to release him on bail in case crime being Kandi P.S. Case No. 45 of 2021 registered for the offence under Section 366 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the F.I.R of this case was lodged by the mother-in-law of the victim in regard to enticing away her daughter-in-law by the petitioner. The victim was recovered and her statement was recorded under Section 164 of the Cr.P.C she has stated that she had left the house with the leave of her husband and accompanied Sunil Paswan and no wrong was committed by him to her. It is also submitted that the petitioner has been languishing in jail since 22.05.2021 having no criminal antecedent.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that the victim enticed away by the petitioner without the permission of the husband or mother-in-law of victim.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Sunil Paswan be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Garhwa, in connection with Kandi P.S. Case No. 45 of 2021.

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12464 of 2021

Pankaj Kumar Das ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mr. Mukesh Bihari Lal, Advocate

For the State : A.P.P.

02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same in course of day.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Pankaj Kumar Das with a prayer to release him on bail in case crime being Rajganj P.S. Case No. 51 of 2021 corresponding to Special (P) Case No.113 of 2021 registered for the offence under Sections 341,354 of the Indian Penal Code and sections 8 and 12 of POCSO Act.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case on account of enmity. The F.I.R of this case has been lodged against the petitioner in regard to forcing the daughter of the informant to take ride of motorcycle after having offered to her chocolate. It is further submitted that the petitioner used to stalk to his daughter and the petitioner has been languishing in jail since 01.08.2021 having no criminal antecedent as per information received by the pairvikar of the petitioner.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that the F.I.R version is well supported with the statement of victim under Section 164 of the Cr.P.C and victim is minor girl of 16 years.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Pankaj Kumar Das be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge- IXth –cum- Special Judge POCSO, Dhanbad, in connection with Rajganj P.S. Case No. 51 of 2021 corresponding to Special (P) Case No.113 of 2021, subject to the condition that the petitioner will not threaten or tamper the witnesses and he will cooperate in the investigation, trial and enquiry and he will not absent himself on the date fixed in the trial court without any cogent reason and in breach of any condition the court below will be at liberty to cancel the bail bonds without any reference to this Court.

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12465 of 2021

Arbind Jaiswal @ Arbind Prasad Jaiswal ..... ... Petitioner

Versus

The State of Jharkhand .... Opp. Party

**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner : Mrs. Vani Kumari, Advocate

: A.P.P. For the State

So far as the defects, as pointed out by the office, are 02/07.12.2021 concerned, learned counsel for the applicant undertakes to remove the same within one week.

> Learned A.P.P appearing on behalf of the State prays for and is granted two weeks' time to procure the case diary.

> > List for hearing on 21.12.2021.

(Subhash Chand, J.)

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12466 of 2021

Mantu Bhuiyan @ Mantu Bharti ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mr. Anupam Anand, Advocate

For the State : A.P.P.

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02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant submitted that the same may be ignored except defect No. 9(iii) and also undertakes that the same may be removed within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Mantu Bhuiyan @ Mantu Bharti with a prayer to release him on bail in case crime being Kunda P.S. Case No. 68 of 2020 registered for the offence under Sections 392,397 of the Indian Penal Code, 1860 and under section 25 (1-b) a, 26,35 of the Arms Act.

Learned counsel for the petitioner has submitted that the F.I.R of this case was lodged against the owner of motorcycle being registration No. JH 13 F 0424 and two unknown persons in regard to committing loot of cash and jewelry on the pointing of gun. It is further submitted that the name of the petitioner surfaced during investigation in the confessional statement of co-accused Sudhir Kumar Bharti and nothing incriminating article has been recovered from the possession of the petitioner and no T.I.P was conducted to identify the complicity of the petitioner in commission of alleged offence. It is also submitted that the petitioner has been languishing in jail since 24.01.2021. It is also submitted that co-accused Sudhir Kumar Bharti has been granted bail by co-ordinate Bench of this Court in B.A. No. 6874 of 2021 vide order dated 02.08.2021.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that the petitioner is having criminal antecedent in two cases.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Mantu Bhuiyan @ Mantu Bharti be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Chatra, in connection with Kunda P.S. Case No. 68 of 2020.

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12467 of 2021

Suresh Oraon @ Amit Oraon @ Amit ji ..... ... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner

: Mr. Kripa Shankar Nanda, Advocate

For the State : A.P.P.

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02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Learned A.P.P appearing on behalf of the State prays for and is granted two weeks' time to procure the case diary.

List for hearing on 21.12.2021.

(Subhash Chand, J.)

### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12468 of 2021

Chhedu Oraon ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mrs. Neeta Krishna, Advocate

For the State : A.P.P.

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02/07.12.2021 So far as the defect No. (ii), as pointed out by the office, are concerned, learned counsel for the applicant has submitted that he has already been removed and defect No. (i) undertakes to remove the same within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Chhedu Oraon with a prayer to release him on bail in case crime being Ghaghra P.S. Case No. 162 of 2020 registered for the offence under Sections 341,342,323,325,506,376 & 511 of the Indian Penal Code and section 3/4 of Witch Craft Practices Act.

Learned counsel for the petitioner has submitted that the F.I.R of this case was lodged by the victim herself in regard to having intruded in the house of the informant made attempt to commit rape upon her and also inflicted injuries to her on being resisted by the victim. It is further submitted that the victim in her statement under Section 164 of the Cr.P.C has developed the prosecution story and stated that she was raped by the petitioner. It is also submitted that the F.I.R of this case was lodged by the victim by two days delayed and there is no explanation of the same and the statement of victim is also different from the F.I.R version which lodged alleged by the victim herself. The petitioner has been languishing in since 09.03.2021 having no criminal antecedent.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Chhedu Oraon be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Gumla, in connection with Ghaghra P.S. Case No. 162 of 2020.

(Subhash Chand, J.)

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12472 of 2021

Parmendra Turi @ Shiwam ..... ... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mr. Shadab Eqbal, Advocate

For the State : A.P.P.

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02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same during course of day.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Parmendra Turi @ Shiwam with a prayer to release him on bail in case crime being Balumath P.S. Case No. 115 of 2021registered for the offence Under Sections 399, 402, 386, 387, 120B, 34 of the I.P.C. read with section 25(1-B)a/26/35 of Arms Act.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The one mobile is alleged to be recovered from the possession of the petitioner and co-accused Arjun Oraon who has already been granted bail by the co-ordinate Bench of this Court in B.A. No. 12037 of 2021 vide order dated 23.11.2021. The petitioner has been languishing in jail since 13.06.2021 having no criminal antecedent.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and conceded that on the point of parity.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Parmendra Turi @ Shiwam be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Latehar, in connection with Balumath P.S. Case No. 115 of 2021.

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12475 of 2021

Manoj Bhokta .... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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For the Petitioner

**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the State : A.P.P.

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02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

: Mr. Binod Kr. Dubey, Advocate

This bail application has been filed on behalf of petitioner Manoj Bhokta with a prayer to release him on bail in case crime being Simaria P.S. Case No. 05 of 2021 (S.T. No. 117 of 2021) registered for the offence under Sections 302, 120B/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 17(i)(ii) of the C.L.A. Act.

Learned counsel for the petitioner has submitted that the F.I.R of this case was lodged against Taleshwar Ganjhu @ Taleshwar Singh and three named extremists along with 4 to 5 other member of extremists with the allegation to commit the murder of brother of informant. It is further submitted that the name of the petitioner does not figure of same and surfaced during investigation in the confessional statement of main accused Taleshwar Ganjhu @ Taleshwar Singh who has already been granted bail in B.A. No. 7053 of 2021 vide order dated 11.08.2021. It is further submitted that recovery of the weapon is alleged to be made on the joint of confessional statement the petitioner and other co-accused which has been falsely implanted. The petitioner has been languishing in jail since 01.04.2021.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that there is recovery of the weapon used in commission of the murder of the deceased on the joint confessional statement of the petitioner and co-accused and the petitioner is having criminal antecedent of three cases.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Manoj Bhokta be released on bail on furnishing bail bond of Rs. 30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-Vth at Chatra , in connection with Simaria P.S. Case No. 05 of 2021 (S.T. No. 117 of 2021).

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12476 of 2021

Sukhdeo Poddar @ Sukhdev Poddar ..... ... Petitioner Versus

The State of Jharkhand .... Opp. Party

**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner

: Mr. A.K. Kashyap Sr. Advocate

: A.P.P. For the State

So far as the defects, as pointed out by the office, are 02/07.12.2021 concerned, learned counsel for the applicant undertakes to remove the same within one week.

> Learned A.P.P appearing on behalf of the State prays for and is granted two weeks' time to procure the case diary and medical examination report.

> > List for hearing on 21.12.2021.

(Subhash Chand, J.)

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12477 of 2021

Arjun Yadav .... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mr. Suraj Kishore Prasad, Advocate

For the State : A.P.P.

02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Arjun Yadav with a prayer to release him on bail in case crime being Chhattarpur P.S. Case No. 119 of 2021, corresponding to G.R. No. 1889 of 2021 registered for the offence under Sections 302, 115 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the F.I.R of this case is alleged by the mother-in-law of the petitioner in regard to abatement of committing murder of two daughters by Anita Devi wife of the petitioner. It is further submitted that the petitioner used to torture to Anita Devi force her to commit murder of the daughters consequently Anita Devi has committed murder of two daughters. It is further submitted that the there is no evidence against the petitioner in regard to commit the alleged offence. The petitioner has been languishing in jail since 28.06.2021

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that there is sufficient evidence on record in regard to abating the petitioner to commit the murder of two daughters by wife of the petitioner Anita Devi.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Arjun Yadav be released on bail on furnishing bail bond of Rs. 30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Palamau at Daltonganj, in connection with Chhattarpur P.S. Case No. 119 of 2021, corresponding to G.R. No. 1889 of 2021, subject to the condition that the petitioner will not threaten or tamper the witnesses and he will cooperate in the investigation, trial and enquiry and he will not absent himself on the date fixed in the trial court without any cogent reason and in breach of any condition the court below will be at liberty to cancel the bail bonds without any reference to this Court.

### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12674 of 2021

Surendra Yadav ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND

For the State : A.P.P.

For the Petitioner

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02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant has submitted that the same is hereby ignored.

Accordingly, the defects as pointed out by the office is hereby ignored.

: Mr. Anurag Kashyap, Advocate

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Surendra Yadav with a prayer to release him on bail in case crime being Baresand P.S. Case No. 03 of 2019, corresponding to G.R. No. 641 of 2019 registered for the offence under Sections 147, 148, 149, 457, 323, 302, 504, 506, 120(B) of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the F.I.R of this case was lodged against the petitioner and other co-accused in regard to committing the murder of father of the informant after having intruded in the house of the informant. It is further submitted that role has been assigned to all the accused persons is general and omnibus and no specific role has been assigned to the petitioner. The co-accused Bhageshwar Yadav has already been granted bail by co-ordinate Bench of this Court in B.A. No. 3128 of 2020 vide order dated 09.06.2020 and the role of the petitioner is identical to that Bhageshwar Yadav. The petitioner has been languishing in jail since 22.07.2021

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that there is evidence against the petitioner and other co-accused in regard to committing the murder of father of informant but conceded that no specific role has been assigned to the petitioner by anyone on the eye witnesses Lilawati Devi and her mother and also conceded that on the point of parity

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Surendra Yadav be released on bail on furnishing bail bond of Rs. 30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Latehar, in connection with Baresand P.S. Case No. 03 of 2019, corresponding to G.R. No. 641 of 2019.

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12680 of 2021

Ajay Kujur @ Ajju ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner :

: Mr. Dr. S.K. Chaturvedi, Advocate

For the State : A.P.P.

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02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Learned A.P.P appearing on behalf of the State prays for and is granted one week time to procure the case diary.

List for hearing on 14.12.2021.

(Subhash Chand, J.)

### IN THE HIGH COURT OF JHARKHAND AT RANCHI **B.A. No. 12690 of 2021**

.... Petitioner Rajesh Sardar

Versus

The State of Jharkhand .... Opp. Party

**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner : Mr. Jitendra Nath Upadhyay, Advocate

For the State : A.P.P.

So far as the defects, as pointed out by the office, are 02/07.12.2021 concerned, learned counsel for the applicant undertakes to remove the same within one week.

> Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

> This bail application has been filed on behalf of petitioner Rajesh Sardar with a prayer to release him on bail in case crime being Gamharia P.S. Case No. 65 of 2021 registered for the offence under Sections 392,411,414 of the Indian Penal Code.

> Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case and he has not committed the alleged offence. The recovery of mobile from the possession of the petitioner is not looted property as alleged in the F.I.R. It is also submitted that recovered mobile was never identified by the informant and the petitioner has been languishing in jail since 04.07.2021.

> Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that the petitioner is having criminal antecedent.

> In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Rajesh Sardar be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. at Seraikella, in connection with Gamharia P.S. Case No. 65 of 2021.

> > (Subhash Chand, J.)

## IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12461 of 2021

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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02/07.12.2021 Let the matter be placed on 14.12.2021.

(Subhash Chand, J.)

## IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12700 of 2021

**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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02/07.12.2021 Let the matter be placed on 14.12.2021.

(Subhash Chand, J.)

## IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12678 of 2021

**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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02/07.12.2021 Let the matter be placed on 14.12.2021.

(Subhash Chand, J.)

## IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12678 of 2021

**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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02/07.12.2021 Let the matter be placed on 14.12.2021.

(Subhash Chand, J.)

### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 10963 of 2021

**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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02/07.12.2021 Nobody appears on behalf of the petitioner on repeated calls.

Learned A.P.P is present.

Let the matter be placed on 14.12.2021.

(Subhash Chand, J.)

### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 11995 of 2021

Pankaj Lala ..... ... Petitioner Versus

The State of Jharkhand .... Opp. Party

**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner : Mr. Raja Ravi Shekhar Singh, Advocate

For the State : A.P.P.

05/07.12.2021 Learned A.P.P appearing on behalf of the State

prays for and is granted two weeks' time to procure the case diary.

List for hearing on 21.12.2021.

(Subhash Chand, J.)

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12704 of 2021

1.Krishna Kumar @ Rahul

2.Ram Vivek Kumar ..... Petitioners

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mr. Tarun Kumar No.1, Advocate

For the State : A.P.P.

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02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicants undertakes to remove the same during course of day.

Heard learned counsel for the petitioners and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioners Krishna Kumar @ Rahul and Ram Vivek Kumar with a prayer to release on bail in case crime being Hirodih P.S. Case No. 49 of 2021 registered for the offence under Sections 379 of the Indian Penal Code, subsequently added Section 411 of the I.P.C.

Learned counsel for the petitioner has submitted that F.I.R of this case was lodged against unknown persons in regard loot of Maruti Suzuki Baleno car of the informant by two unknown persons who came by the black colour scorpio car which was identified in C.C.T.V camera. It is further submitted that nothing incriminating article has been recovered from the possession of these petitioners and name of the petitioners surfaced during investigation in the confessional statement of co-accused. It is also submitted that Maruti Suzuki Baleno car was recovered and there is no other evidence against these petitioners and petitioners have been languishing in jail since 06.07.2021.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicants and contended that petitioners are having criminal antecedent.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioners, namely, Krishna Kumar @ Rahul and Ram Vivek Kumar be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Giridih, in connection with Hirodih P.S. Case No. 49 of 2021.

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12705 of 2021

Md. Faiyaz ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner : Mr. Md. Yasir Arafat, Advocate

For the State : A.P.P.

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02/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Md. Faiyaz with a prayer to release him on bail in case crime being Sahibganj (M) P.S. Case No. 73 of 2017, corresponding to G.R. No. 413 of 2017 registered for the offence under Sections 379, 402, 363 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The F.I.R of this case was lodged against Md. Tanveer and four unknown persons in regard to loot of Scorpio after having wrongfully confined. It is further submitted that name of the petitioner surfaced during investigation in the confessional statement of co-accused Md. Tanveer @ Nd. Tanveer, who has already been granted bail by co-ordinate Bench of this Court in B.A. No. 8570 of 2017 vide order dated 06.12.2021. It is also submitted that nothing incriminating article has been recovered from the possession of the petitioner and petitioner has been languishing in jail since 04.08.2021 having no criminal antecedent and no T.I.P was conducted to identify the petitioner.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Md. Faiyaz be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sahibganj, in connection with Sahibganj (M) P.S. Case No. 73 of 2017, corresponding to G.R. No. 413 of 2017.

### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 9399 of 2021

Prakash Kumar Sah @ Sao ..... ... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner : Mr. Pankaj Kr. Dubey, Advocate

For the State : A.P.P.

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03/07.12.2021 Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Prakash Kumar Sah @ Sao with a prayer to release him on bail in case crime being Kadma P.S. Case No. 28 of 2021 registered for the offence under Sections 304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. It is also submitted that the petitioner has not committed dowry death of the daughter of informant. The deceased died natural death and the petitioner has been languishing in jail since 12.03.2021

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that the F.I.R was lodged by the informant father of the deceased with allegation for demand of dowry and for non fulfilment of the same the daughter of the informant was subjected to cruelty and ultimately she was strangulated. It is further submitted that the death of the deceased took in matrimonial house and as per postmortem report the cause of death is asphyxia as a result of antemortem hanging.

Admittedly the death of deceased took place within seven years of her marriage in her matrimonial house and there is also the evidence collected by the I.O that she was subjected to cruelty for demand of dowry. The death of the deceased unnatural and the petitioner is the husband of the deceased.

In view of the submissions made above and considering the materials available on record, the bail application is fit to be dismissed. Accordingly, the prayer for bail of the petitioner is hereby rejected.

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12469 of 2021

Rakesh Yadav @ Rakesh Kumar Yadav ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM:** HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. A.K. Chaturvedi, Advocate For the State : Mr. Ravi Prakash, Spl..P.P.

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02/07.12.2021 Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Rakesh Yadav @ Rakesh Kumar Yadav with a prayer to release him on bail in case crime being Bashistnagar P.S. Case No. 71 of 2021 registered for the offence under sections 420,412 and 34 of Indian Penal Code and under sections 25(1-B)(a), 26 and 35 of the Arms Act and Section 17 of the Narcotic Drugs and Psychotropic Substances Act.

Learned counsel for the12462 petitioner has submitted that the F.I.R of this case was lodged against the petitioner and five other named persons and one unknown persons. It is also submitted that the one magazine loaded with five live cartridges and mobile was recovered from the possession of the petitioner and 1Kg 800gm opium was recovered from the house of Punit Mahto wherein all the other accused were also present. The police had apprehended the petitioner and Vinay Kr. Gupta. It is also submitted that Vinay Kumar @ Vinay Kr. Gupta has already been granted bail by the co-ordinate Bench of this Court in B.A. No. 12003 of 2021 vide order dated 23.11.2021 and the case of the petitioner is on similar footing as like of co-accused Vinay Kumar @ Vinay Kr. Gupta.

Learned Special P.P. has vehemently opposed the contention made by the learned counsel for the applicant and conceded that 1Kg 800gm opium was recovered from the house of Punit Kr. Mahto.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Rakesh Yadav @ Rakesh Kumar Yadav be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Sessions Judge-Cum-Special Judge, (NDPS), Chatra, in connection with Bashistnagar P.S. Case No. 71 of 2021.

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12470 of 2021

Narayan Mahto ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mr. Anurag Kashyap, Advocate

For the State : A.P.P.

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02/07.12.2021 Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Narayan Mahto with a prayer to release him on bail in case crime being Garhwa P.S. Case No. 319 of 2021 registered for the offence under Sections 341,323,504,34 of the Indian Penal Code and later on sections 324, 325,307 of the Indian Penal Code was added.

Learned counsel for the petitioner has submitted that the F.I.R of this case was lodged against the petitioner and five other named persons in regard to inflicting injuries having intruded in the house of the informant and there are four persons sustained injuries. It is also submitted that except the petitioner of all the co-accused have been granted anticipatory bail by the co-ordinate Bench of this Court and the role has been assigned to all the accused persons as per the F.I.R and also as per evidence recorded by the I.O is general and omnibus and no specific role has been assigned to the petitioner, accordingly the petitioner is also entitled to same parity.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that there are four injured persons although the injuries are simple in nature and one of the injured has sustained head injury which was on the vital part but conceded that role has been assigned to all accused persons is general and omnibus and no specific role has been assigned to the petitioner.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Narayan Mahto be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Garhwa, in connection with Garhwa P.S. Case No. 319 of 2021.

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12474 of 2021

Irfan Ansari ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner : Mr. Abhay Kr. Chaturvedy, Advocate

For the State : A.P.P.

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02/07.12.2021 Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Irfan Ansari with a prayer to release him on bail in case crime being Bishrampur P.S. Case No. 57 of 2021 corresponding to Special POCSO Case No. 63 of 2021 registered for the offence under Sections 354(A)/34 of the Indian Penal Code and section 8/12 of POCSO Act.

Learned counsel for the petitioner has submitted that the F.I.R of this case was lodged against Naushad Ansari and the petitioner wherein allegation are made by the informant that on the fateful day the 15 years daughter of the informant and one Naushad Ansari had gone graze goats and cows near Bhelwa river and Naushad Ansari made attempt to outrage the modesty of his daughter and one Irfan Ansari who had concealed himself nearby place of occurrence had clicked obscene photograph daughter of the informant which he made in public. It is further submitted that there is no allegation in the F.I.R in regard making in sexual assault against the petitioner and allegation is made in the F.I.R are against co-accused Naushad Ansari only role of the petitioner is clicked the photograph and making public of those photograph.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant.

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, Irfan Ansari be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, POCSO, Palamau in connection with Bishrampur P.S. Case No. 57 of 2021 corresponding to Special POCSO Case No. 63 of 2021.

(Subhash Chand, J.)

#### IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 12686 of 2021

Krishna Chakrabarty @ Kishan Chakrabarty @ Kishan Chakborty .. ... Petitioner Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner : Mr. Shailesh, Advocate

For the State : A.P.P.

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02/07.12.2021 Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner Krishna Chakrabarty @ Kishan Chakrabarty @ Kishan Chakborty with a prayer to release him on bail in case crime being Chirkunda P.S. Case No. 133 of 2021, corresponding to Spl. (POCSO) Case No. 100 of 2021 registered for the offence under Sections 366A of the Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel for the petitioner has submitted that the F.I.R of this case has lodged by the father of the victim with the allegation that the petitioner accused has abducted the minor daughter of the informant with intent to illicit relation with her. During investigation the victim was recovered and her statement under Section 164 of the Cr.P.C in which she admitted that she was having affairs with the petitioner and the petitioner also establish physical relation with her against her will. It is also submitted that charge sheet was filed under Section 366A, 376(1) and Section 4 of the POCSO Act on which cognizance was taken by the court below.

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant.

In view of the submissions made above and considering the materials available on record as the bail is only for the offence under Section 366A and Section 8 of the POCSO Act, accordingly the same is allowed. Accordingly, the petitioner, namely, Krishna Chakrabarty @ Kishan Chakrabarty @ Kishan Chakborty be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-IX-Cum- Spl Judge-POCSO, Dhanbad, in connection with Chirkunda P.S. Case No. 133 of 2021, corresponding to Spl. (POCSO) Case No. 100 of 2021.

xxxxxxxxx ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mr. xxxxxx, Advocate

For the State : A.P.P.

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xxx/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner xxxxxxx with a prayer to release him on bail in case crime being xxxxxxxx registered for the offence under Sections xxxxxx of the Indian Penal Code.

#### **XXXXXXXXXXX**

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that xxxxxxxxx

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, xxxxxxx be released on bail on furnishing bail bond of Rs. xxxxx/- (xxxxx Thousand) with two sureties of the like amount each to the satisfaction of the learned xxxxxx, in connection with xxxxx.

(Subhash Chand, J.)

xxxxxxxxx ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner : Mr. xxxxxx, Advocate

For the State : A.P.P.

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xxx/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner xxxxxxx with a prayer to release him on bail in case crime being xxxxxxxx registered for the offence under Sections xxxxxx of the Indian Penal Code.

#### **XXXXXXXXXXX**

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that xxxxxxxxx

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, xxxxxxx be released on bail on furnishing bail bond of Rs. xxxxx/- (xxxxx Thousand) with two sureties of the like amount each to the satisfaction of the learned xxxxxx, in connection with xxxxx.

(Subhash Chand, J.)

..... ... Petitioner XXXXXXXX

Versus

The State of Jharkhand .... Opp. Party

**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

For the Petitioner : Mr. xxxxxx, Advocate

For the State : A.P.P.

So far as the defects, as pointed out by the office, are xxx/07.12.2021 concerned, learned counsel for the applicant undertakes to remove the same within one week.

> Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

> This bail application has been filed on behalf of petitioner xxxxxxx with a prayer to release him on bail in case crime being xxxxxxxx registered for the offence under Sections xxxxxx of the Indian Penal Code.

#### **XXXXXXXXXXX**

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that xxxxxxxxx

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, xxxxxxx be released on bail on furnishing bail bond of Rs. xxxxx/- (xxxxx Thousand) with two sureties of the like amount each to the satisfaction of the learned xxxxxx, in connection with xxxxx.

(Subhash Chand, J.)

xxxxxxxxx ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mr. xxxxxx, Advocate

For the State : A.P.P.

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xxx/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner xxxxxxx with a prayer to release him on bail in case crime being xxxxxxxx registered for the offence under Sections xxxxxx of the Indian Penal Code.

#### **XXXXXXXXXXX**

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that xxxxxxxxx

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, xxxxxxx be released on bail on furnishing bail bond of Rs. xxxxx/- (xxxxx Thousand) with two sureties of the like amount each to the satisfaction of the learned xxxxxx, in connection with xxxxx.

(Subhash Chand, J.)

xxxxxxxxx ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. xxxxxx, Advocate

For the State : A.P.P.

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xxx/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner xxxxxxx with a prayer to release him on bail in case crime being xxxxxxxx registered for the offence under Sections xxxxxx of the Indian Penal Code.

#### **XXXXXXXXXXX**

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that xxxxxxxxx

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, xxxxxxx be released on bail on furnishing bail bond of Rs. xxxxx/- (xxxxx Thousand) with two sureties of the like amount each to the satisfaction of the learned xxxxxx, in connection with xxxxx.

(Subhash Chand, J.)

xxxxxxxxx ..... Petitioner

Versus

The State of Jharkhand .... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND** 

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For the Petitioner : Mr. xxxxxx, Advocate

For the State : A.P.P.

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xxx/07.12.2021 So far as the defects, as pointed out by the office, are concerned, learned counsel for the applicant undertakes to remove the same within one week.

Heard learned counsel for the petitioner and learned A.P.P. appearing for the State.

This bail application has been filed on behalf of petitioner xxxxxxx with a prayer to release him on bail in case crime being xxxxxxxx registered for the offence under Sections xxxxxx of the Indian Penal Code.

#### **XXXXXXXXXXX**

Learned A.P.P. has vehemently opposed the contention made by the learned counsel for the applicant and contended that xxxxxxxxx

In view of the submissions made above and considering the materials available on record, this bail application deserves to be allowed. Accordingly, the petitioner, namely, xxxxxxx be released on bail on furnishing bail bond of Rs. xxxxx/- (xxxxx Thousand) with two sureties of the like amount each to the satisfaction of the learned xxxxxx, in connection with xxxxx.

(Subhash Chand, J.)