

Rabish ? Shahzada Khan vs State Of Jharkhand on 5 December, 2016

Author: H. C. Mishra

Bench: H. C. Mishra, S.N. Pathak

IN	THE	HIGH	COURT	OF	JHARKHAND	AT	RANC
		Criminal Appeal (DB) No.			295 of 2010		
Indrajit Sinha @ Vicky and Another					Appellants	
		Versus					
The State of Jharkhand					Respondent	
			With				
		Criminal Appeal (DB) No. 166 of 2010					
Rabish @ Shahzada Khan					Appellant	
		Versus					
The State of Jharkhand					Respondent	

CORAM	:	HON'BLE MR. JUSTICE H. C. MISHRA					
		HON'BLE MR. JUSTICE Dr. S.N. PATHAK					

For the Appellant No.1	:	Mr. Bibhash Sinha, Advocates					
For the Respondent	:	Mr. A.K. Sahani, Advocate					
		Mr. Ajit Kumar, Advocate.					

		I.A. No. 150 of 2016					
17/	05.12.2016						

Heard learned counsel for the appellant No.1 and learned counsel for the State.

In this interlocutory application, the appellant No.1, Indrajit Sinha @ Vicky, has prayed for bail during the pendency of this Appeal. Earlier bail application of this appellant was rejected by this Court.

The case relates to robbery and murder of a lady.

Learned counsel for the appellant No. 1 has renewed the prayer for bail submitting that the appellant is in custody since nine years and he has been made accused only on the basis of his confessional statement, on which some recoveries were made. It is submitted that other co-accused, on whose confessional statement also recovery was also made, have been granted bail by this Court. Learned counsel accordingly, renewed the prayer for bail of appellant No. 1.

Learned counsel for the State, on the other hand, has opposed the prayer for bail and has pointed out that the confessional statement of this appellant had led to recovery of the looted articles, as also bloodstained knife by which the offence was committed.

In the facts of the case, since there is recovery of bloodstained knife on the basis of the confessional statement of this appellant, we are not inclined to release the appellant No. 1, Indrajit Sinha @ Vicky, on bail. This interlocutory application stands dismissed.

Let these appeals be listed under the heading 'For Hearing' at an early date.

(H. C. Mishra, J.) (Dr. S.N. Pathak, J.) Kunal/Punit