

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 7151 of 2014**

Shankar Kunwar Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For the Petitioner : Mr. Amit Sinha, Advocate
For the State : Mr. S.S. Prasad, A.P.P.

02/31.10.2014 Heard the learned counsel appearing for the parties and perused the documents on record.

The applicant has been made accused in connection with Adityapur P.S. Case No. 88 of 2009 corresponding to G.R. No. 311 of 2009 registered under Sections 302/34/120B of the Indian Penal Code and under Section 27 of the Arms Act.

The learned counsel appearing of the applicant has submitted that the applicant is not named in the First Information Report and the First Information Report was in fact, lodged against unknown. Neither any incriminating material has been recovered from the possession of the applicant nor any recovery has been effected at the instance of the applicant. The applicant has been implicated in the present case only on the basis of the statement of one of the prosecution witnesses. The applicant has been remanded in the present case on 31.01.2014.

The learned A.P.P. appearing for the State opposes the prayer for grant of bail.

From the impugned order dated 21.05.2014, it appears that the applicant was already in judicial custody when he was remanded in the present case on 31.01.2014 and thus, it is clear that there is another criminal case lodged against the applicant. A charge-sheet has already been submitted in the

present case and cognizance of the offence has been taken. The learned 1st Additional Sessions Judge, Seraikella has recorded that from para 38, 39 and 54 of the case diary, the involvement of the applicant in the crime is apparent.

In view of the gravity of the offence and materials against the applicant, I find no ground to enlarge the applicant on bail and accordingly, the prayer for grant of bail of the applicant is rejected.

Let a copy of this order be sent to the trial court through FAX.

(Shree Chandrashekhar, J.)

Manish