

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 9557 of 2013**

Dharmendra Prasad Petitioner(s)

State of Jharkhand Versus ... Opposite Party

Coram : HON'BLE MR. JUSTICE D.N.UPADHYAY

For the petitioner (s): Mr. A.K.Das

For the opposite party : Addl.P.P.

31.01.2014 Heard the learned counsel for the petitioner and the learned counsel for the State.

Petitioner is accused in connection with Sadar (Mesra O.P) P.S. case No. 249 of 2011 for the offence registered under sections 395 and 412 of the Indian Penal Code.

It reveals from FIR that the truck of the informant was looted by the miscreants . During investigation, looted truck was recovered from possession of this petitioner.

It is submitted that as per case diary, the petitioner was not the person involved in the dacoity. He is simply driver working under co-accused Dalbir Singh @ Bagga. He has no concern either with the loot or the truck which was allegedly purchased by said co-accused Dalbir Singh. The petitioner has remained in custody for about one year for no fault on his part.

Learned counsel for the State has opposed the prayer and submitted that the petitioner was found in possession of the looted truck. Prayer for bail made on behalf of the petitioner was earlier rejected by order dated 15.5.2013 vide BA No. 2959 of 2013.

I have gone through the case diary which supports the contention that the petitioner was found in possession of the looted truck which was allegedly purchased by Dalbir Singh @ Bagga under whom the petitioner was employed.

Considering period of detention of the petitioner in custody and the progress in trial that charges have been framed, 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 Addl. Judicial Commissioner XVII, Ranchi, in connection with ST No. 374 of 2013 on the condition that he shall co-operate with the trial.

Ambastha/-

(D.N.Upadhyay,J.)