

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A No. 857 of 2015

Anil Nayak

.... Petitioner

-Versus-

The State of Jharkhand

..... Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner :

: M/s. Kripa Shankar Nanda

For the State :

: M/s. Priyadarshi, A.P.P.

2/ 27.02.2015. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Gumla P.S. Case No.179 of 2013, corresponding to G.R No.481 of 2013, S.T. No. 296 of 2013, for the offence under Sections 302, 411/ 34 of the Indian Penal Code and Section 27 of the Arms Act.

The case relates to double murder, in which, the son and brother-in-law of the informant were murdered in the house.

In view of the statement of one of the eye witness to the occurrence in which the petitioner and the other co-accused were named, the earlier bail application of the petitioner was rejected on merits by order dated 27.1.2014 in B.A. No. 10948 of 2013.

Learned counsel for the petitioner has renewed the prayer for bail submitting that the other co-accused whose bail was also rejected along with this petitioner has since been granted bail by order dated 30.1.2015 passed in B.A. No.7226 of 2014, in view of the fact that it was found that the said eye witness was examined in the Court below and he had turned hostile and did not support the prosecution case.

Learned counsel for the State has opposed the prayer.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Anil Nayak, 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 Additional Sessions Judge-I, Gumla, in connection with, Gumla P.S. Case No.179 of 2013, corresponding to G.R No.481 of 2013, S.T. No. 296 of 2013.

(H.C.Mishra, J.)

D.S.