

IN THE HIGH COURT OF JHARKHAND AT RANCHI.
B.A. No. 5677 of 2016

.....
Ishak Kandulna @ Ishak Munda **Petitioner**
Versus
The State of Jharkhand **Opp. Party**
.....

CORAM: HON'BLE MR. JUSTICE APARESH KUMAR SINGH

...
For the Petitioner : Mr. Gaurav, Advocate
For the State : A.P.P.
...

02/30.07.2016: Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner is in judicial custody since 29th March, 2016 in connection with Rania P.S. Case No.17 of 2011, corresponding to G.R. No.310 of 2011 (S) registered under Sections 147, 148, 149 and 307 of the Indian Penal Code, Section 27 of the Arms Act and Section 17 of the C.L.A. Act pending in the court of learned Chief Judicial Magistrate, Khunti.

Learned counsel for the petitioner submits that the petitioner has been named on the confessional statement of co-accused Markus Lugun @ Markus who has already been enlarged on bail in B.A. No.6687 of 2012 by order dated 3rd October, 2012 passed by the Coordinate Bench of this Court. It is however submitted that the petitioner has been deliberately implicated in another Rania P.S. Case No.30 of 2011 where also he has been remanded in jail since 29th March 2016 itself. The bail application in respect thereof is also pending in this Court. Earlier petitioner has been enlarged on bail in another P.S. Case i.e. Goilkera P.S. Case No.22/2013 by the Coordinate Bench of this Court but has been kept in custody on account of his implication in the other two cases. Petitioner, in that sense, has been in custody since 7th July, 2013 itself in either one or the other cases. In the instant case, however, he is in

incarceration only on account of confessional statement made by other co-accused person as is evident from the impugned order.

Learned A.P.P. however opposes the prayer for bail.

Having regard to the facts and circumstances of the case and that the petitioner's name has come on the confessional statement of the co-accused who has earlier been enlarged on bail by the Coordinate Bench of this Court, let the petitioner, above named, be also enlarged 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 Chief Judicial Magistrate, Khunti in connection with Rania P.S. Case No.17 of 2011, corresponding to G.R. No.310 of 2011 (S) with the condition that one of the bailors should be family member of the petitioner.

(Aparesh Kumar Singh, J.)

Shamim/