

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 9894 of 2016

Rajesh Mal @ Rajesh Kumar Mal Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Petitioner : Mr. Ranjan Kumar Singh, Advocate
For the State : A.P.P.

04/ 16.12.2016 Heard learned counsel appearing for the petitioners and learned A.P.P., appearing for the State.

Petitioner is accused for the offence registered under Sections 364/34, 302, 201 and 120-B of the Indian Penal Code.

Learned counsel has submitted that petitioner has been implicated as earlier one Manoj Sah had lodged a case bearing Mahagama P.S. Case No.99 of 2015 against the deceased and Muzaffar Ansari. That in the present case said Muzaffar Ansari is the sole eye witness as disclosed in the F.I.R. and he has been examined as PW-1. In support of the same the deposition of PW-1 has been brought on record. It is submitted by the counsel that said Muzaffar Ansari has not supported the prosecution case and he has been declared hostile.

Learned A.P.P has opposed the prayer.

Heard. Considering that the F.I.R. named eye witness Muzaffar Ansari has not supported the prosecution case, the petitioner is directed to be released on bail on his furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Godda in connection with Mahagama P.S. Case No.106 of 2015 corresponding to G.R. Case No.1858 of 2015 subject to the condition that he shall remain present, before the trial Court, as and when directed till conclusion of the trial failing which the trial Court is at liberty to pass necessary orders.

(Amitav K. Gupta, J.)