

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 6068 of 2017

Anwar Khan Petitioner(s).

Versus

The State of Jharkhand Opp. Party(s)

CORAM : HON'BLE MR. JUSTICE ANANDA SEN.

For the Petitioner(s) : Mr. J.N. Upadhyay, Advocate
For the State : A.P.P.

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04/31.01.2018

Heard learned counsel for the parties.

The petitioner is an accused for allegedly committing offence punishable under Sections 363/379/120B of the IPC.

Counsel for the petitioner submits that petitioner is not named in the FIR and there is no incriminating article recovered from the possession of this petitioner. He submits that name of this petitioner has transpired only on the basis of confessional statement of Faiyajul Hoda, who has been granted bail by the co-ordinate bench of this Court in B.A. No.1550 of 2017.

Learned A.P.P. opposes the prayer for bail and submits that only on confessional statement of Faiyajul Hoda, the name of this petitioner has surfaced in the instant case. He further submits that after confessional statement of Faiyajul Hoda, this petitioner was arrested and he confessed his guilt.

Since the name of this petitioner has transpired only on the basis of confessional statement of co-accused and there is no other material save and except confessional statement of the co-accused and that of the petitioner, I am inclined to allow this application. Accordingly, the petitioner, namely, Anwar Khan 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 CJM, Seraikella in connection with Adityapur P.S. No. 279 of 2016, corresponding to G.R. No. 1316 of 2016 (S).

(ANANDA SEN , J)