

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A No. 2212 of 2020

Istekhar Warsi @ Bada Chini

.....

Petitioner

Versus

The State of Jharkhand

.....

Opp. Party

CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

For the Petitioners

: Mr. Sumit Prakash, Advocate

For the Opp. Party

:

2/Dated: 23rd March, 2020

This is an application under section 439 and 440 of the Code of Criminal Procedure whereby and whereunder the petitioner has sought for direction for release from the custody in connection with Mango P.S. Case No.471 of 2013 corresponding to G.R. No.3024 of 2013 registered for alleged commission of offence under section 379 of the Indian Penal Code.

It has been submitted by the learned counsel for the petitioner that earlier the petitioner was granted bail but due to misuse of privilege of bail his bail bond was cancelled and in pursuant thereto he has again been remanded in this case through VC by order dated 30.10.2019 since he was involved in another case.

It has further been submitted that however the bail was granted sometime in the year 2013, privilege of which the petitioner has availed regularly since the year 2017 but thereafter he could not appear before the trial court, in consequence thereof, his bail has been cancelled. It has been submitted that since the charges have not yet been framed, as such, the petitioner may be released on bail and if released, the he will not misuse the privilege of bail again.

Considering the aforesaid submissions and taking into consideration the fact that the petitioner was granted bail in the year 2013 and has not

misused the privilege of bail up to the year 2017 but thereafter has misused the privilege of bail and on being remanded in this case he is in custody since 30.10.2019

Considering the fact and circumstances, this Court deem it fit and proper to extend the privilege of bail to the petitioner on furnishing bail bond of Rs.10,000/- (Rs. Ten Thousand) with two sureties of the like amount each, to the satisfaction of Judicial Magistrate, 1st Class, Jamshedpur in connection with Mango P.S. Case No.471 of 2013 corresponding to G.R. No.3024 of 2013.

(Sujit Narayan Prasad, J.)

Saket/-