

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. M. P. No. 308 of 2021

Md. Aftab @ Ladla , S/o Pir Mohammad Petitioner(s)

Versus

The State of Jharkhand

.. ... Opp. Party

.....

CORAM :HON'BLE MR. JUSTICE KAILASH PRASAD DEO

(Through – Video Conferencing)

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For the Petitioner(s) : Mr. Jitesh Kumar, Advocate.

For the State : Mr. V. N. Jha, Advocate,

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02 / 26.02.2021. Heard learned counsel appearing for the petitioner and learned A.P.P. for the State.

Learned counsel for the petitioner has submitted that pairvirkar of the petitioner in this case is father of the petitioner, namely, Pir Mohammad and another bailor as directed by this Court shall be father/mother/sister/wife while granting bail to the petitioner. Since these persons are below the poverty line, as such, they are not in a position to execute bail bonds of Rs.20,000/- as granted by this Court.

Learned counsel for the petitioner has further submitted that in support of his submission, he has categorically stated at Para-5 of the instant petition which may profitably be quoted as under :-

5.That the petitioner belong to family of below poverty line as such the government has issued pink ration card in the name of family of petitioner as such the petitioner has no any immovable or movable property for submitting bail bond before the learned court below as this Hon'ble Court directed to the deponent who will be one of the bailor who is father of the petitioner and other bailor should be father, mother, sister, wife so the petitioner could not released from jail custody due to non-submission of bail bond as directed by this Hon'ble Court.

As such, considering the same, the conditions of bail may be modified.

Learned counsel for the State while opposing the same has submitted that in view of such assertion, this Court may modify the same.

Having heard learned counsel for the parties and considering the same, the conditions of bail bonds of Rs.20,000/- with two sureties is modified by directing that one bailor i.e. father of the petitioner being the pairvirkar and another bailor, being father/mother/sister/wife will stand as bailors in this case on their personal bonds.

The aforesaid petition stands disposed of.

However, the Officer-in-Charge, Jugsalai Police Station, East Singhbhum, Jamshedpur, is directed to look into the matter so that the accused/petitioner may not abscond and the trial may not be delayed.

Let a copy of this order be communicated through “FAX” to the court concerned at once.

(Kailash Prasad Deo, J.)

Sandeep/