

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**B.A. No. 6731 of 2022**

**Rashid Khan @ Md. Rashid Khan @ Mona Khan ..... Petitioner**

**Versus**

**The State of Jharkhand**

**..... Opposite party**

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**CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA**

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For the Petitioner : Mr. Md. Abdul Wahab, Advocate

For the State : Mr. Veervijay Pradhan, A.P.P.

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**Order No.02/ Dated:30.06.2022**

Heard learned counsel for the parties.

The petitioner has been made an accused in connection with Raidih P.S. Case No. 01 of 2022 corresponding to G.R. No. 77 of 2022, registered for the offence under Section 379 of the Indian Penal Code, pending in the court of learned ACJM, Gumla.

As per F.I.R. lodged on 02.01.2022, motorcycle of the informant along with scooty of one Seema kujur was stolen by unknown persons. During the course of investigation it transpired that stolen motorcycles were recovered from the house of the petitioner.

Learned counsel for the petitioner has submitted petitioner is not named in the F.I.R. It is submitted that petitioner is innocent and has committed no offence at all rather his name has surfaced on the basis of confessional statement of co- accused. It is further submitted that nothing incriminating article has been recovered from the possession of the petitioner and the alleged recovery shown by the prosecution agency from in front of the house of the petitioner is doubtful. It is also submitted that other co- accused, namely, Kalindra Saw, Indrajeet Ram, Naushad Khan have been

granted bail by the Co-ordinate bench of this Court in B.A. Nos. 1813 of 2022 and 2094 of 2022 vide order dated 28.02.2022 and 08.03.2022 respectively. The petitioner is languishing in Judicial custody since 06.01.2022 without rhymes and reasons. It is also submitted that there is no chance of absconding or tampering with the prosecution evidence, hence, the petitioner may be enlarged on bail.

Learned A.P.P appearing on behalf of State has opposed the prayer for bail of the petitioner and submitted that there are sufficient materials against the petitioner showing his involvement in the present case, hence he does not deserve bail.

Regard being had to the facts and circumstances of the case and nature of allegation against the petitioner coupled with materials available against petitioner, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, named above, is directed to be released on bail on furnishing of bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each, to the satisfaction of learned ACJM, Gumla in connection with Raidih P.S. Case No. 01 of 2022 corresponding to G.R. No. 77 of 2022 subject to the condition that petitioner shall appear physically on each and every date till conclusion of the trial unless prevented from sufficient cause to the satisfaction of learned trial court.

**(Pradeep Kumar Srivastava, J.)**

R.K.