

(2021) 01 JH CK 0165

Jharkhand High Court

Case No: Bail Application No. 11061 Of 2020

Izhar Khan @ Hafiz
Izhar @ Md. Izhar

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision: Jan. 14, 2021

Acts Referred:

- Indian Penal Code, 1860 - Section 34, 307, 323, 326, 341, 354, 379, 506

Hon'ble Judges: Anil Kumar Choudhary, J

Bench: Single Bench

Advocate: Md. Faizan, Md. Hatim, Yadunandan Mishra

Final Decision: Allowed

Judgement

Heard the parties through video conferencing.

Learned counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

The petitioner has been made accused in connection with Marafari P.S. Case No.56 of 2020 registered under Sections 341, 323, 326, 307, 506, 354, 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner attempted to murder the members of the informant party and outraged the modesty of the lady members of the informant party and committed theft. It is submitted that the allegation against

the petitioner is false. It is next submitted that for the self-same occurrence, Marafari P.S. Case No.57 of 2020 has been lodged by the petitioner and

there was free-fight between the parties. Drawing attention of this Court towards para-14 of the instant bail application, learned counsel for the

petitioner submits that the petitioner has no criminal antecedent. It is next submitted that the petitioner undertakes that he will not disturb or annoy the

members of the informant party or the informant or any of his family member in any manner during the pendency of the trial. It is next submitted that

the petitioner undertakes to co-operate with the trial of the case. It is lastly submitted that the petitioner has been in custody since 16.10.2020 which is

evident from para-15 of the instant bail application. Hence it is submitted that the petitioner be released on bail.

Learned Addl. P.P. appearing for the State being assisted by the learned counsel for the informant oppose the prayer for bail.

Considering the facts of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty

five thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate at Bokaro in connection with

Marafari P.S. Case No.56 of 2020 with the condition that he will co-operate with the trial of the case and he will not disturb or annoy the members of

the informant party or the informant or any of his family member in any manner during the pendency of the trial.