

(2012) 01 JH CK 0032

Jharkhand High Court

Case No: Criminal Rev. No. 23 of 2012

Md. Reyajuddin Ansari @ Reyaj
Ansari

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision: Jan. 24, 2012

Citation: (2012) 2 JCR 112

Hon'ble Judges: Rakesh Ranjan Prasad, J

Bench: Single Bench

Advocate: K.P. Deo, for the Appellant;

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

R.R. Prasad, J.

Having heard learned counsel appearing for the petitioner and learned counsel appearing for the State and on perusal of the record, I do find that a case was registered against unknown on an allegation that some unknown persons made an attempt on the life of the informant by throwing bomb. Subsequently, this petitioner was remanded in the case. Since the petitioner was a juvenile, an application was filed before the Juvenile Justice Board for grant of bail but the prayer for bail was rejected after holding that the petitioner may fall in bad company if he is released on bail and would expose him to moral, physical or psychological danger. Similar was the view expressed when an appeal was preferred for grant of bail. Learned counsel appearing for the petitioner submits that though the petitioner has been made an accused in three cases including the instant case but in none of the cases, the petitioner has been made named accused and that police is after this petitioner, who is a juvenile and as such, he is being implicated falsely and that nothing adverse was there in the social investigation report, still the prayer for bail of the petitioner was rejected by both the Courts below.

2. Having heard learned counsel appearing for both sides, it does appear that prayer for bail was rejected after holding that release of the petitioner would bring him in association with the criminals and would expose him to moral, physical and psychological danger, but those findings have been given without there being any basis and thus, the Courts below have committed illegality in rejecting the prayer for bail and hence, those orders are hereby set aside.

3. Accordingly, the above named petitioner 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 Principal Magistrate. Juvenile Justice Board, Godda in Boarijore (Lalmatia) P.S. case No. 89 of 2010 (G.R. No. 1032 of 2010) on giving undertaking by the father of the petitioner that he would not allow the petitioner to come in association of the criminals. This application stands allowed.