

(2012) 09 JH CK 0127
Jharkhand High Court
Case No: B.A. No. 6627 of 2012

Naresh Yadav

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision: Sept. 14, 2012

Acts Referred:

- Explosive Substances Act, 1908 - Section 3, 4, 5
- Penal Code, 1860 (IPC) - Section 147, 148, 149, 302, 307

Hon'ble Judges: Rakesh Ranjan Prasad, J

Bench: Single Bench

Advocate: A.K. Kashyap and Lina Shakti, for the Appellant;

Judgement

R.R. Prasad

1. Heard learned counsel appearing for the petitioner and learned A.P.P. appearing for the State. The petitioner is an accused in a case instituted under Sections 147, 148, 149, 323, 324, 325, 307 and 302 of the Indian Penal Code and Sections 3/4/5 of the Explosive Substance Act.

2. Learned counsel appearing for the petitioner submits that this is third occasions when the petitioner is moving for bail. At earlier two occasions, the prayer for bail of the petitioner had already been rejected. While rejecting the prayer for bail on 10.02.2012, this Court, taking into account the long detention of the petitioner, directed the trial court to conclude the trial within six months, failing which, it was ordered that the petitioner would be at liberty to renew his prayer for bail. Since, not a single witness has been examined, the petitioner has moved again for reconsideration of the prayer for bail, as there has been absolutely no likelihood of early conclusion of the trial, when not a single witness has been examined by the prosecution up till now. Regard being had to the facts and circumstances of the case, the above-named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10000/- (Ten Thousand) with two sureties of the like amount each to

the satisfaction of the learned 1st Additional Sessions Judge, Deoghar in S.C. No. 04 of 2011.