IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 7768 of 2020

Akhlakh Ansari @ Ikhlakh Ansari ... ... Petitioner
Versus
The State of Jharkhand ... ... Opposite Party

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Rajesh Kumar Singh, Advocate
For the State : Mr. Bishambhar Shastri, A.P.P.

03/06.11.2020 The present bail application is taken up today through Video conferencing.

Heard the learned counsel for the parties.

The petitioner is an accused for the offence punishable under Section 395 of the Indian Penal Code (chargesheet has been submitted under Section 392 IPC).

The learned counsel for the petitioner submits that the bail application of the petitioner was earlier rejected by this Court vide order dated 16.08.2019 passed in B.A. No. 6777 of 2019. By way of present bail application, the petitioner has renewed his prayer for bail primarily on the ground that the petitioner is in judicial custody since 03.05.2019 and there is no positive progress in the trial. It is further submitted that though the F.I.R. was earlier instituted under Section 395 IPC, yet after investigation, the police has submitted the chargesheet under Section 392 IPC. Even after submission of the chargesheet, the charges against the petitioner and other co-accused have not been framed for more than a year. Similarly situated co-accused Tuntun Yadav has already been granted regular bail by this Court vide order dated 05.06.2020 passed in B.A. No. 2987 of 2020. Hence, the petitioner may be given the privilege of regular bail.

The learned A.P.P. opposes the petitioner's prayer for bail.

Having heard the learned counsel for the parties and keeping in view that the petitioner is in judicial custody in connection with the present case for more than a year, I am inclined to enlarge the petitioner on bail. Accordingly, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.20,000/-

(Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Chatra in connection with Hunterganj P.S. Case No. 228 of 2018, corresponding to G.R. No. 710 of 2019, subject to the condition that the petitioner shall fully co-operate in the trial and shall appear before the trial court on each and every date unless his physical appearance for a particular date is exempted by specific order of the trial court, failing which the trial court shall be at liberty to cancel the bail bond of the petitioner.

(Rajesh Shankar, J.)

Manish