

IN THE HIGH COURT OF JHARKHAND AT RANCHI
[CRIMINAL MISCELLANEOUS JURISDICTION]
B.A. No. 6019 of 2020

Md. Asif Ansari Petitioner

Versus

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO
(Through : Video Conferencing)

For the Petitioner : Mr. K.S. Nanda, Advocate
For the State : Mr. Someshwar Roy, A.P.P

02/Dated: 14/09/2020:

Learned counsel for the petitioner has submitted that though there are defect nos.4, 5(e) and 9(i) to 9(iii) in the bail application as pointed out by the stamp reporter but he has filed an undertaking that he shall remove the defects within 30 days after the physical court starts and the bail application may be heard as it is a regular bail in which petitioner is in custody since 23.04.2020.

Considering the same, this Court is inclined to hear the bail application on merits but with condition that petitioner shall remove the defects within 30 days after the physical court starts.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the physical court starts so as to remove the defects.

Heard, learned counsel for the petitioner, Mr. K.S. Nanda and learned counsel for the State, Mr. Someshwar Roy.

Learned counsel for the petitioner has submitted that petitioner has prayed for grant of regular bail in connection with Gumla P.S. Case No.205 of 2019, for the offence registered under Section 382, 385 and 386 IPC.

Learned counsel for the petitioner has submitted that name of the petitioner has got transpired on the basis of the confessional statement co-accused, Shiva Sahu, who was apprehended.

Learned counsel for the petitioner has further submitted that petitioner has no criminal antecedent nor he has been put on TIP and the similarly situated co-accused, Ashish Kumar Sahu has been enlarged on bail vide order dated 31.07.2020 in B.A. No.5079 of 2020 and co-accused, Sachin Sahu has been enlarged on bail vide order dated 11.08.2020 in B.A. No.4683 of 2020 and this petitioner, who is in custody since 23.04.2020, may also be enlarged on bail.

Learned counsel for the State has opposed the prayer for bail and has submitted that the criminals have looted laptop, mobile phone having SIM

nos.7980432874 and 8768154724 apart from ATM card and cash of Rs.11,000/-.

Learned counsel for the State has further submitted that as per memo of evidence sent to him, the laptop has been recovered from the petitioner, as such, petitioner may not be enlarged on regular bail as a detail counter-affidavit is necessary.

Considering the rival submissions of the parties, learned State counsel is directed to file counter-affidavit within four weeks with regard to looted laptop, mobile phone and ATM card.

List this case after four weeks.

(Kailash Prasad Deo, J.)