IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2145 of 2020

Ashlam Khan @ Aslam Khan ... … petitioner

Versus

The State of Jharkhand ... … Opposite Parties

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the petitioner : Mr. Achinto Sen, Advocate
For the State : Mrs. Vandana Bharti, A.P.P.

03/20.07.2020 The present anticipatory bail application is taken up today through Video conferencing.

Heard the learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Jainagar P.S. Case No. 213 of 2019 for the offence punishable under Sections 302/34 of the Indian Penal Code, pending in the court of the learned SDJM, Koderma.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The deceased himself was habitual drunkard suffering from many ailments due to which there is high possibility that he would have fallen in the ditch and died. The petitioner has been roped in the present case at the instance of the informant merely on suspicion. Hence, the petitioner may be given the privilege of anticipatory bail.

The learned A.P.P. while opposing the petitioner's prayer for anticipatory bail submits that the police has collected materials against the petitioner during the investigation. The learned District and Additional Sessions Judge-III, Koderma while rejecting the anticipatory bail application of the petitioner has referred paragraph-4 of the case diary in which it has surfaced that the petitioner had threatened to kill the deceased, who was a mason by profession. The petitioner is evading his arrest and has not been co-operating in the investigation and hence, he may not be given the privilege of anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Hence, the prayer for grant of anticipatory bail of the petitioner is hereby rejected.

(Rajesh Shankar, J.)

Manish