

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 1684 of 2021

Rizwan Khan

...Petitioner

-V e r s u s-

The State of Jharkhand

...Opp. Party

**CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioner : - Mr. Sabyasanchi, Advocate

For the State :- Mr. Sanjay Kumar Srivastava, A.P.P.

03/26.03.2021

The case is taken up through video conferencing.

Heard learned counsel for the parties.

Petitioner is an accused for the offences punishable under Sections 341/323/448/307/504/506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the bail application of the petitioner was earlier rejected by this Court vide order dated 07.08.2020 passed in B.A. No. 3759 of 2020. By way of present bail application, the petitioner has renewed his prayer for regular bail. It is further submitted that the informant (victim)- Farjana Khatoon has been examined in the trial as P.W. 1. She in her examination-in-chief has stated that she did not see the person who fired on her. Accordingly she has been declared hostile by the prosecution in the trial. Other witnesses i.e. P.W. 2-Nuraisha Bibi and P.W. 3-Jahadun Bibi examined in the trial have also turned hostile. The petitioner is in judicial custody since 11.02.2020 and at least considering the length of judicial custody, he may be given the privilege of regular bail.

Learned A.P.P. opposes the petitioner's prayer for bail.

Having heard the learned counsel for the parties, 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 Additional Sessions Judge-IV, Garhwa in connection with Sessions Trial No. 164 of 2020, subject to the condition that the petitioner shall co-operate in the trial and shall be present as and when required by the Trial Court, failing which the said court is at liberty to pass appropriate order against the petitioner in accordance with law.

**(Rajesh Shankar, J.)**