

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No.8853 of 2020

Vijay Mahto @ Vijay Kumar @ Vijay Kumar Mahto

... .. **Petitioner**

Versus

The State of Jharkhand

... .. **Opp. Party**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner : Mr. Mahesh Tewari, Adv.

For the State : Mrs. Shweta Singh, A.P.P.

The matter was taken up through Video Conferencing. Learned counsel for the parties had no objections with it and submitted that the audio and video qualities are good.

05/25.03.2021: Heard learned counsel for the petitioner and learned counsel for the State.

The present application has been filed for grant of regular bail to the petitioner in connection with Tamar P.S. Case No.57 of 2010(S) corresponding to G.R. No.2666 of 2010(S) (S.T. No.213 of 2020), registered for the offence under Sections 302 and 34 of the Indian Penal Code, pending in the Court of the learned Additional Judicial Commissioner XXII, at Ranchi.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 10.01.2020. Although, the petitioner has been named in the FIR but four named accused persons who have faced trial, have been acquitted by the judgment dated 01.09.2012 passed in Session Trial No.567 of 2010. On the above facts, the prayer for bail has been made.

On the other hand, counsel for the State has opposed the prayer for bail and has submitted that the charge-sheet has been submitted in the year 2011 but the petitioner is in custody since 10.01.2020, which shows that the petitioner is an absconder, and as such, he may not be enlarged on bail.

Considering the material available on record and the fact the petitioners appears to be an absconder, this Court is not inclined to enlarge the petitioner on bail, at this stage.

Accordingly, the present bail application is, hereby, rejected.

However, the petitioner is at liberty to renew his prayer for bail after six months, if the trial is not concluded within that time.

(Rajesh Kumar, J.)