

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 8377 of 2022

Disco Mahto @ Prame Chand Mahto @ Disco Mahato @ Disco
@ Prame Chand Mahato Petitioner
Versus
The State of Jharkhand Opp. Party
With
B.A.No. 8193 of 2022
Md. Imteyazuddin @ GudduPetitioner
Versus
The State of Jharkhand Opp. Party

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioners : Mr. Kalyan Banerjee, Adv. (in B.A.No.8377/22)
: Mr. Shekhar Prasad Sinha, Adv. (in B.A.No. 8193/22)

For the State : Mrs. Mohua Palit, A.P.P. (in B.A.No.8377/22)
: Mr. Someshwar Roy, A.P.P. (in B.A.No.8193/22)

05/ 14.10.2022 As both the Bail Applications arise out of the same F.I.R., they are taken up together and are being disposed of by this common order.

B.A.No.8377 of 2022 is on behalf of Disco Mahto @ Prame Chand Mahto @ Disco Mahato @ Disco@ Prame Chand Mahato and B.A.No.8193 of 2022 is on behalf of Md. Imteyazuddin @ Guddu.

Heard learned counsel for the applicants and the learned A.P.P.s for the State.

This bail application has been filed on behalf of the above named applicants with prayer to release them on bail in connection with Bankmore P.S. Case No. 114 of 2021, registered under Sections 302/386/387/120-B/34 of the Indian Penal Code and 27 of the Arms Act, pending in the court of the Chief Judicial Magistrate, Dhanbad.

Learned counsel for the applicants has submitted, as per F.I.R. allegations, 2 to 3 shooters along with unknown persons under a conspiracy had committed the murder of 'Jija' of the informant from whom demand of extortion money had been being made.

Learned Counsel for the applicants has submitted that name of both the applicants transpired during investigation on the basis of confessional statement of co-accused and self-confession as well. On the confessional statement of co-accused-Poonam Paswan @ Vishal Kumar a country made pistol is alleged to be recovered from the house of the present applicant-Disco Mahto @ Prame Chand Mahto @ Disco Mahato @ Disco @ Prame Chand Mahato while against the applicant-Md. Imteyazuddin @ Guddu only evidence is the confessional statement of applicant and confession of the co-accused. There is no other corroborating evidence against the applicants to show their complicity

in commission of the alleged offence. Alleged pistol was never sent to F.S.L. while the charge-sheet has been filed in this case. The applicant-Disco Mahto @ Prame Chand Mahto @ Disco Mahato @ Disco @ Prame Chand Mahato has been languishing in Jail since 06.06.2020 and applicant-Md. Imteyazuddin @ Guddu has been languishing in Jail since 21.05.2022.

Learned A.P.P.s appearing on behalf of the State vehemently opposed the contentions made by the learned counsel for the applicants.

In view of the submissions made and materials on record, the bail application of the applicants is hereby allowed. Let the applicants be released on bail on furnishing bail bond of Rs.30,000/-(Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the court concerned in aforesaid case.

(Subhash Chand, J.)

P.K.S.