

IN THE COURT OF SESSIONS JUDGE, CHATRA

B.P No. 771/2022

(CNR No. JHCH010043732022)

(Arising out of Tandwa P.S. Case No. 199/2022)

Md. Ashif

Vrs

State of Jharkhand

B.P No. 771/2022

Order with the signature of the Court

**Office action
taken with
date**

SL. No	Date of order of proceeding	Order with the signature of the Court	Office action taken with date
1	2	3	4
	12.12.2022	The present bail application filed on behalf of accused/petitioner namely Md. Ashif, aged about 33 years, S/o Md. Jabbar @ Md. Azam, in connection with Tandwa PS Case No. 199/2022, dated 20.08.2022, registered for the offence U/s 385, 387, 506, 34 of IPC, U/s 17(i)(ii) of CLA Act. The learned advocate appeared on behalf of the accused/petitioner submitted that the accused/petitioner is innocent, not committed any offence and falsely implicated in this case. He has further submitted that there is no eye witness of occurrence. He has neither arrested at the place of occurrence nor any incriminating articles has been seized or recovered from his possession. It has been further submitted that the accused/petitioner has been remanded in this case from another Piparwar PS Case No. 38/2022 and he has been in Judicial custody since 15.09.2022, thus, prayed to enlarge him on bail.	

SL. No	Date of order of proceeding	<u>B.P No. 771/2022</u> Order with the signature of the Court	Office action taken with date
	Contd P/2 12.12.2022	On the other hand learned PP opposed the prayer for bail and submitted that the accused/petitioner is owner of Mobile No. 9122807774 by which mobile number threatened has been given to informant. He has further submitted that the accused/petitioner has been remanded in this case from another Piparwar PS Case No. 38/2022 and he has criminal antecedent, thus, he does not deserve bail. Heard and perused the case record. The present Tandwa PS Case No. 199/2022, dated 20.08.2022, registered for the offence U/s 385, 387, 506, 34 of IPC, U/s 17(i)(ii) of CLA Act alleging therein that on 18.08.2022 at about 08.30 AM when informant was going to depose in a case of N.I.A Act registered as RC No. 06/2018. When he left his house in the meantime a phone call by mobile No. 9122807774 was received on his mobile No. 9431150579 by WhatsApp call and the person who made call told that he made call on the direction of TPC extremists Brajesh Jee and Akraman Jee and told him that not to depose in case otherwise you will have to face the situation earlier committed with you and you along with your family would be murdered. It is further case of informant that he has been made witness in N.I.A case of TPC and earlier on 02.02.2021 at	

SL. No	Date of order of proceeding	<u>B.P No. 771/2022</u> Order with the signature of the Court	Office action taken with date
	Contd P/3 12.12.2022	09.15 AM the extremists have tried to kill him by gun shot injury. Thus, case was registered. From perusal of the case record it appears that the accused/petitioner is owner of mobile No. 9122807774 by which mobile threatening has been given to informant to be killed him with his family. The accused/petitioner has been remanded in this case from another Piparwar PS Case No. 38/2022, thus, he has criminal antecedent. On completion of investigation the Investigating Officer has submitted Charge Sheet No. 239/2022 dated 11.11.2022 against the accused/petitioner and other co-accused persons. The witnesses during inquiry have supported the case of prosecution. Considering the totality of the facts and circumstances of the case, nature of allegations, I am not inclined to enlarge the accused/petitioner on bail. Accordingly, the prayer for bail of accused/petitioner Md. Ashif is hereby rejected. (Dictated) Sd/- (Rakesh Kumar Singh) Sessions Judge, Chatra, JH00243.	