

*IN THE COURT OF SESSIONS JUDGE, GUMLA
JHGM01-003571-2022
B.P.No.1244 of 2022*

02.11.22

The instant bail petition preferred on behalf of petitioner namely, Arif Ansari who is apprehending his arrest in connection with Gumla P.S.Case No.32/2020, for offence u/Ss 461/379 of IPC, has been pressed for hearing today by his learned counsel in presence of learned P.P appearing for the State.

Learned counsel for the petitioner has submitted that petitioner voluntarily surrendered before the Court and he is in judicial custody since 07.10.22 in above referred case and earlier ABP No.54/22 of petitioner was rejected by this Court, thereafter petitioner has not moved any bail petition before the Hon'ble Court in the case. It is further submitted that petitioner is innocent and has committed no offence and he has falsely been implicated in this case out of table work of police. The FIR is against unknown. Petitioner got involved in the case on the basis of self confessional statement as well as statement of co-accused recorded before the Gumla Police in Gumla P.S.Case No.56/2020 which has no legal value. Other co-accused Rohit Verma @ Pawan Verma and Jumaruddin Ansari have already been granted bail by the Hon'ble Court vide B.a.No.4872/2020. The charge sheet has already submitted against two and investigation is pending against the petitioner. Petitioner has no criminal antecedent before institution of Gumla P.S.Case No.56/2020. Petitioner is sole earning member of his family. Hence, he may be admitted to bail.

Learned P.P has vehemently opposed the prayer of bail.

Considered the rival contentions and perused the case diary. From perusal of case diary, it transpires that allegation against the petitioner is u/Ss

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Contd...2 461/379 of IPC. As per allegation made by informant Amit Kumar

02.11.22 Chandravanshi on 30.01.2020 he got information regarding theft in canteen of his brother-in-law which is situated at Gumla Sadar Hospital. Occurrence took place after breaking lock of canteen. When he visited the canteen he found that Unknown theft took away Inverter, Battery, TV and some money. So, matter was investigated by police and in course of investigation involvement of petitioner has surfaced in the offence. petitioner was also involved in Gumla P.S.case No.56/2020 and in Gumla P.S.Case No.32/2020 the present case. The confessional statement of petitioner Arif Ansari was recorded vide para-44 of the case diary in which he confessed his involvement. Charge sheet has been submitted against other co-accused, keeping supplementary investigation going on against petitioner.

So, considering the above mentioned facts and circumstances, I find that petitioner who is also involved in Gumla P.S.Case No.56/2020, does not deserves benefit of bail.

Accordingly, prayer of bail of petitioner namely, Arif Ansari stands rejected.

(Dictated)

Sd/-

*(S.K.Chandharyavi)
Sessions Judge, Gumla.*