

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B. A. No.10778 of 2020

Samsher Ansari @ Samser Ansari Petitioner

Versus

The State of JharkhandOpp. Party

CORAM : HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioners : Mr. Nagmani Tiwari, Adv.

For the State : Mr. Arup Kr. Dey, A.P.P

08/11.06.2021 Heard learned counsel for the parties through V.C.

2. The instant bail application has been preferred by the petitioner for grant of regular bail in connection with Dhanwar P.S. Case No.11 of 2020, corresponding to Special POCSO Case No.18/2020, registered under Sections 366 (A), 376 of the IPC and Section 4/8 of POCSO Act, which is pending before the court of learned Special Judge, POCSO Act-Cum-D.J-I at Giridih.

3. Learned counsel for the petitioner submits that the petitioner has not committed any crime and as a matter of fact a compromise has also been arrived at with the informant in as much as the informant is also the relative of this petitioner. He further submits that there is no likelihood of completion of trial due to the present pandemic and at present the case is fixed for supply of police paper. He further submits that petitioner is lying in jail custody since 20.01.2020 for no offence.

4. Learned A.P.P. on the other hand opposes the prayer for bail of the petitioner, however he could not controvert the fact that due to the present pandemic the trial is hampered.

5. Having regard to the fact of the case and keeping in view of the present pandemic, trial is badly hampered and there is no likelihood for early disposal of the case, as such I am inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail on his furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act-Cum-D.J-I at Giridih in connection with Dhanwar P.S. Case No.11 of 2020, corresponding to Special POCSO Case No.18/2020 with a condition that the petitioner shall appear on each and every date during trial before the learned trial Court, whenever the functioning of regular court begins. Till then, petitioner shall register his presence before the concerned police station fortnightly, failing which, learned trial court shall be at liberty to cancel his bail.

(Deepak Roshan, J.)