

Jharkhand High Court

Mojib Ansari vs State Of Jharkhand on 30 October, 2015

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
Cr. Appeal No.1089 of 2004 with Batch Cases

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A-1 Mojib Ansari --- Appellant in Cr. Appeal (DB) No.1089 of 2004 A-2 Abdul Shattar Ansari @ Sirajuddin Ansari A-3 Mansoor Ansari --- Appellants in Cr. Appeal (DB) No.1146 of 2004 A-4 Kazi Rizwan --- Appellant in Cr. Appeal (DB) No.1156 of 2004 A-5 Abbas Ansari ---- Appellant in Cr. Appeal (DB) No.1157 of 2004 A-6 Habib Ansari A-7 Sirazuddin Ansari ---- Appellant in Cr. Appeal (DB) No.1172 of 2004 A-8 Md. Islam Ansari A-9 Feroz Sah ----- Appellant in Cr. Appeal (DB) No. 1173 of 2004 A-10 Anwar Ansari ----- Appellant in Cr. Appeal (DB) No.1175 of 2004 A-11 Mani Swami ----- Appellant in Cr. Appeal (DB) No.1177 of 2004 A-12 Gaffar Ansari ---- Appellant in Cr. Appeal (DB) No.1178 of 2004 A-13 Noor Alam @ Lalit ---- Appellant in Cr. Appeal (DB) No.1182 of 2004 A-14 Yunus Ansari ---- Appellant in Cr. Appeal (DB) No.1199 of 2004 A-15 Barju Sah ---- Appellant in Cr. Appeal (DB) No.1218 of 2004 A-16 Sayyum Ansari ---- Appellant in Cr. Appeal (DB) No.1421 of 2004 A-17 Momin Akhtar ---- Appellant in Cr. Appeal (DB) No.1422 of 2004 A-18 Ekbal Sah A-19 Sabir Sah ---- Appellants in Cr. Appeal (DB) No.1743 of 2004 A-20 Pramod Pillai ---- Appellant in Cr. Appeal (DB) No.431 of 2006 A-21 Khadim Hussain ---- Appellant in Cr. Appeal (DB) No.1150 of 2012 ... .. Appellants

--Versus--

State of Jharkhand

... .. Respondent

For the Appellants A-2, A-3, A-6,  
A-7, A-8, A-9, A-10,A-12, A-13,  
A-14, A-15 & A-16

For the Appellant A-1

For the Appellant A-4

For the Appellant A-5

For the Appellant A-11

For the Appellants A-17, A-18,  
A-19 & A-21

For the Appellant A-20

For the Respondents

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: M/s. B.M.Tripathy, Sr. Advocate,  
Nutan Sharma & Navin Kr. Jaiswal,  
Advocates

: Mr. Mahesh Kumar Sinha, Advocate

: Mr. Bijay Kumar Sinha, Advocate

: Mr. N.K.Sahani, Advocate

: Mr. Sanjay Kumar, Advocate

: Mr. A.K.Sahani, Advocate

: Mr. Sanjeev Thakur, Advocate

: M/s. Shekhar Sinha, H.K.Shikarwar,  
Amaresh Kumar, Pankaj Kumar,  
Binod Singh, A.P.Ps.

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CORAM : HON'BLE MR. JUSTICE VIRENDER SINGH, CHIEF JUSTICE HON'BLE MR. JUSTICE  
P. P. BHATT

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o6/ Dated: 30 October, 2015 th Per Virender Singh,C.J.

While disposing of 17 criminal appeals, vide the judgment dated 13th August, 2015, in view of Section 357-A of the Code of Criminal Procedure, the State Government was directed to pay compensation to the mother of the victim, who has lost her young talented daughter. Accordingly, the State of Jharkhand was directed to pay Rs.5,00,000/- (Rupees Five Lakhs) as amount of compensation to the mother of the victim.

In view of Note dated 23.09.2015 of the Registrar General of this Court, kept at flag-'X', it appears that in order to comply the above order, a Cheque bearing No.201966 dated 19.09.2015 amounting to Rupees Five .

Lakhs was sent in favour of Smt. Chandrababha Prasad, the mother of the victim. An information was given to Gaya Prasad, the father of victim girl over telephone to obtain the said cheque, but Shri Gaya Prasad has expressed his inability to come for receiving the said cheque due to illness of victim's mother i.e. Smt. Chandrababha Prasad. Shri Prasad has requested to transfer the compensation amount in the joint Bank Account of Smt. Chandrababha Prasad and Shri Gaya Prasad bearing No.10026348557, Code-6942, IFSC No.-SBIN-0006942 through NIFT System.

In view of letter dated 19.09.2015 of D.C., Bokaro, the above information was sent to the Registrar General of this Court, who was requested to take up the matter of the said payment to the mother of the victim on her presence after proper verification.

In view of the facts and circumstances stated in the letter of D.C., Bokaro, the earlier order dated 13th August, 2015, of this Court, is required to be modified to the extent that "the amount of compensation of Rs.5,00,000/- (Rupees Five Lakhs) determined by this Court shall be transferred in the joint Bank Account of Smt. Chandrababha Prasad and Shri Gaya Prasad bearing No.10026348557, Code-6942, IFSC No.- SBIN-0006942 through NIFT System".

As requested by Shri Gaya Prasad, the father of the victim girl, through D.C., Bokrao, which has been forwarded by the Principal & District Judge, Bokaro, to the Registrar General of this Court, vide its forwarding letter dated 21.09.2015, the Registrar General of this Court, shall intimate through the Principal District & Sessions Judge, Bokaro to the D.C., Bokaro, to transfer the awarded compensation amount of Rs.5,00,000/- (Rupees Five Lakhs) in the joint Bank Account of Smt. Chandrababha Prasad and Shri Gaya Prasad bearing No.10026348557, Code-6942, IFSC No.-SBIN-0006942 through NIFT System.

The compliance report of the aforesaid direction be placed before this Court on or before 3rd December, 2015.

In view of above, the order dated 13th August, 2015, passed by this Court, is, hereby, modified to the extent indicated above.

(Virender Singh, C.J.) (P.P. Bhatt, J.) Anu/SI