

(2021) 01 JH CK 0040

In the Jharkhand High Court

Case No : Bail Application No. 10361 Of 2020

Bandhu Shukla @ Ajit Kumar Shukla

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 05-01-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 307, 385, 387
Arms Act, 1959 — Section 27

Citation : (2021) 01 JH CK 0040

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : A.K. Dubey, S.K. Shukla

Final Decision : Allowed

Judgement

Heard the parties through video conferencing. Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the

stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

The petitioner has moved this Court for grant of bail in connection with S.T. No.499 of 2019 arising out of Lesliganj P.S. Case No.23 of 2017 (G.R.

No.420 of 2017) registered under sections 385/ 387/307/34 of the Indian Penal Code and under Section 27 of Arms Act.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner demanded extortion from the owner of a

liquor shop in which the informant was working and fired from pistol to terrorize the informant. It is further submitted that the allegations against the

petitioner are all false and out of six witnesses cited in the charge sheet, two

witnesses have been examined and drawing attention of this Court to the deposition of P.W.1- informant, a copy of the certified copy which is kept at page no.21-22 of the brief, it is submitted that the informant has not supported the case of the prosecution and P.W.2 is a hearsay witness and he has not taken the name of the petitioner. It is next submitted that the petitioner has been in custody since 27.08.2019 as has been mentioned in paragraph no. 24 of the bail application. It is lastly submitted that the petitioner undertakes to cooperate with the trial of the case. Hence, it is submitted that the petitioner be admitted to bail.

The learned Addl. P.P. opposes the prayer for bail. Considering the submissions of the counsels and the fact as discussed above, I am inclined to

enlarge the above named petitioner on bail. Accordingly, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees

Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.S.J.-V, Palamau at Daltonganj, in connection with

S.T. No.499 of 2019 arising out of Lesliganj P.S. Case No.23 of 2017 (G.R. No.420 of 2017) with the condition that the petitioner will cooperate with the trial of the case.