
(2021) 02 JH CK 0016

In the Jharkhand High Court

Case No : Bail Application No. 12174 Of 2020

Choita Sirka @ Joita @ Joyta

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 01-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 302

Citation : (2021) 02 JH CK 0016

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Anjani Kumar, Shweta Singh

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 Jeteya P.S. Case No.13 of 2019 (G.R. No.531 of 2019) (S.T. No.29 of 2020)

registered under sections 302/34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner in furtherance of common intention with the

co-accused persons has murdered the father of the informant namely Lebeya Sirka. It is further submitted that the allegations against the petitioner

are all false and there is specific allegation against Lal Singh Sirka of having assaulted the deceased with crowbar on the head of the deceased. It is

then submitted that the allegations are general and omnibus in nature. It is next submitted that the petitioner has been in custody since 25.09.2019 as

has been mentioned in paragraph no. 15 of the bail application. It is also submitted that the co-accused persons have already been admitted to bail by

this Court vide order dated 27.01.2021, passed in B.A. No. 11909 of 2020. 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 Sessions Judge, West Singhbhum, Chaibasa, in

connection Jeteya P.S. Case No.13 of 2019 (G.R. No.531 of 2019) (S.T. No.29 of 2020) with the condition that the petitioner will cooperate with the

trial of the case.