
(2020) 12 JH CK 0033
In the Jharkhand High Court
Case No : Bail Application No. 7208 Of 2020

Deva @ Dev Narayan Modi

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 04-12-2020

Acts Referred:

Citation : (2020) 12 JH CK 0033

Hon'ble Judges : Rajesh Shankar, J

Bench : Single Bench

Advocate : Abhay Kumar Mishra, Arup Kumar Dey

Judgement

The case is taken up through Video Conferencing.

The petitioner is an accused in a case registered for the offence punishable under Sections 302/201/34 IPC.

Learned counsel for the petitioner submits that the petitioner's prayer for bail was earlier rejected twice by this Court. By way of the present bail

application, the petitioner has renewed his prayer for bail. It is further submitted that Dr. Swapan Kr. Sarak has been examined in the trial as PW.5

wherein he has clearly stated that the death of the deceased Saroj Ravidas occurred due to asphyxia as a result of drowning. He has further stated

that no ante-mortem external wound has been found on the person of the deceased at the time of post-mortem examination and the death did not

occur due to mechanical injuries. There is no eye-witness to the occurrence. It is also submitted that the rest of the accused persons have already

been released on bail. The petitioner is in judicial custody since 15.02.2019 and therefore he may be given the privilege of regular bail. The petitioner

undertakes that after his release on bail, he will fully co-operate in timely

disposal of the trial.

Learned A.P.P opposes the petitioner's prayer for bail. Considering the aforesaid facts and circumstances of the case, I am inclined to enlarge the

petitioner on bail. Accordingly, the above named petitioner is directed to be released on bail on furnishing bail-bond of Rs.20,000/- (twenty thousand

only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV, Dhanbad in connection with S. T. No.

228/2019, subject to the condition that the petitioner shall co-operate in the trial and shall be present before the Trial Court on each and every date,

unless his physical presence for a particular date is specifically exempted by the order of the Trial Court, failing which the Trial Court is at liberty to

pass appropriate order against the petitioner in accordance with law.