

(2021) 02 JH CK 0143
In the Jharkhand High Court
Case No : Bail Application No. 1194 Of 2021

Golden Miyan @ Golden Alam	Vs	APPELLANT
State of Jharkhand		RESPONDENT

Date of Decision : 17-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 307, 324, 326
Arms Act, 1959 — Section 27

Citation : (2021) 02 JH CK 0143

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : A.K. Chaturvedy, Suraj Verma

Final Decision : Allowed

Judgement

Heard the parties through Video Conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned counsel for the petitioner the defects pointed out by the Stamp Reporter are ignored for the present.

The petitioner has been made accused in connection with Lawalong P.S. case no. 106 of 2020 registered under Sections 326, 324, 307, 34 of the Indian Penal Code and Section 27 of Arms Act.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner in furtherance of common intention with the co-accused persons, attempted to murder the informant. It is then

submitted by learned counsel for the petitioner that the allegation against the petitioner is false. It is further submitted by learned counsel for the petitioner that the victim has not seen his assailant and the petitioner has been implicated in this case as there is land dispute between the parties. It is further submitted by learned counsel for the petitioner that the petitioner has been in judicial custody since 04.11.2020 as mentioned in paragraph 15 of the bail application and the petitioner is ready and willing to co-operate with the trial of the case and co-accused with similar allegations has already been released on bail by this court vide order dated 17.02.2021 passed in BA no. 1162 of 2021 hence, the petitioner may be released on bail. Learned Spl. P.P. opposes the prayer for bail of the petitioner.

Considering the facts of the case, 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 CJM, Chatra in connection with Lawalong P.S. case no. 106 of 2020 subject to the condition that the petitioner will co-operate with the trial of the case.