
(2021) 01 JH CK 0034

In the Jharkhand High Court

Case No : Bail Application No. 10264 Of 2020

Jageshwar Singh @ Jage

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 05-01-2021

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 364, 380, 452
Criminal Law Amendment Act, 1932 — Section 17(i)(ii)

Citation : (2021) 01 JH CK 0034

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Gaurav, N.K. Gaunjhu

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 Bano P.S. case no. 57 of 2014 instituted under sections 452, 364, 380, 120B of the Indian

Penal Code and section 17(i) (ii) CLA Act.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner was involved in murder of the father and mother of the informant. It is then submitted by learned counsel for the petitioner that the allegation against the petitioner is false. Drawing

attention of the court to page 22-23 of the brief, which is the copy of the certified copy of the deposition of the informant in the trial of the co- accused

persons, vide S.T. no. 149 of 2016 of the court in Sessions Judge, Simdega learned counsel for the petitioner submits that therein the informant has

categorically stated that he has only stated the name of the co- accused Bimal Pai to police and he could not identify any other person and consequent

upon that, the co-accused persons, have been acquitted after conclusion of the trial. It is further submitted by learned counsel for the petitioner that the

petitioner has been in jail custody since 22.12.2018 as mentioned in paragraph 17 of the bail application and the petitioner is ready and willing to co-

operate with the trial of the case hence, the petitioner may be released on bail.

Learned Addl. 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 Sessions

Judge, Simdega in connection with Bano P.S. case no. 57 of 2014 subject to the condition that the petitioner will co-operate with the trial of the case.