
(2020) 05 JH CK 0079

In the Jharkhand High Court

Case No : Bail Application No. 11258 Of 2019

Karan Rout @ Karan Jaishwal @ Karan Jaiswal

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 15-05-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 302
Arms Act, 1959 — Section 27

Citation : (2020) 05 JH CK 0079

Hon'ble Judges : Anubha Rawat Choudhary, J

Bench : Single Bench

Advocate : Arvind Kr. Choudhary, Satish Kr. Keshri

Judgement

1. Heard Mr. Arvind Kr. Choudhary, learned counsel appearing on behalf of the petitioner.
2. Heard Mr. Satish Kr. Keshri, learned counsel appearing on behalf of the opposite party.
3. Learned counsel for the petitioner submits that the petitioner is in custody since 07.01.2019 in connection with Deoghar Town P.S. Case No. 04/2019 in S.T. Case No. 192/2019 for alleged offence registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act, now said to be pending in the court of learned Additional Sessions Judge-VII, Deoghar.
4. The learned counsel for the petitioner submits that the bail application of the petitioner was earlier rejected on 15.07.2019 in B.A. No. 3617/2019 by this Court. The learned counsel submits that the charge has already been framed on 18.06.2019, but subsequently no witness has turned up. The learned counsel further submits that some of the co-accused have been enlarged on bail by a Co-ordinate Bench of this Court. He refers to B.A. No. 4328/2019, wherein Bablu Kumar Raut and Akshay Kumar Raut were enlarged on bail vide order dated 26.09.2019. He also refers to B.A. No. 3873/2019, wherein Munna Kumar Singh

has been enlarged on bail vide order dated 22.07.2019.

5. Learned counsel for the opposite party opposes the prayer for bail and submits that considering the COVID-19 situation, the witnesses did not appear before the learned court below. But he submits that once the trial commences, the prosecution will take expeditious steps for the trial as there is already an observation for expeditious trial in order dated 15.07.2019, whereby the bail application of the petitioner was rejected.

6. Considering the aforesaid facts and circumstances of this case and the earlier rejection of the bail application of the petitioner on merit, this Court is not inclined to enlarge the petitioner on bail.

7. However, the petitioner may renew his prayer for bail after expiry of six months from today provided he fully co-operates with the trial in the meantime.

8. Let a copy of this order be communicated to the learned court below through 'FAX'.