

(2017) 07 JH CK 0021
In the Jharkhand High Court
Case No : 5053 of 2017

Kunal Kumar Choudhary @ Kunal Kumar.	APPELLANT
Vs	
The State of Jharkhand	RESPONDENT

Date of Decision : 10-07-2017

Acts Referred:

Citation : (2017) 07 JH CK 0021

Hon'ble Judges : Shree Chandrashekhar

Bench : SINGLE BENCH

Advocate : B.M. Tripathy, ?Naveen Kr. Jaiswal, ?Lily Sahay

Final Decision : Allowed

Judgement

1. Heard the learned counsels appearing for the parties and perused the documents on record.
2. Contending that there is no eye-witness to the alleged occurrence in which one Soni Kumari Bhalotia was killed and the informant namely, Mansukh Lal Sultania who allegedly claimed that he saw the petitioner and two other boys coming to his house asking about his son has turned hostile, Sri B.M. Tripathy, the learned Senior counsel for the petitioner contends that pending trial in S.T. No.77 of 2017, the petitioner deserves grant of bail. The petitioner is in judicial custody since 12.07.2016.
3. Mrs. Lily Sahay, the learned APP opposed the prayer for bail stating that most of the witnesses have already been examined.
4. In view of the fact that the informant has been declared

hostile to the prosecution and having regards to the facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, FTC, Bokaro in connection with Chas P.S. Case No.179/2016 corresponding to G.R. No. 963/2016 (S.T. No.77 of 2017), with the condition that he shall remain physically present in the trial court on each and every date except, for special circumstances.

5. The instant application is allowed. Let a copy of the order be transmitted to the trial Court through "Fax".