

(2020) 09 JH CK 0058
In the Jharkhand High Court
Case No : Bail Application No. 5854 Of 2020

Lalan Rana @ Lalan Kumar Sharma

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 07-09-2020

Acts Referred:

Indian Penal Code, 1860 — Section 144, 149, 307, 379, 385
Arms Act, 1959 — Section 27
Criminal Law Amendment Act, 1932 — Section 17(i)(ii)

Citation : (2020) 09 JH CK 0058

Hon'ble Judges : Kailash Prasad Deo, J

Bench : Single Bench

Advocate : Baleshwar Yadav, Lily Sahay

Judgement

Learned counsel for the petitioner has submitted that though there are defect nos.9(i) and (ii) in the bail application as pointed out by the stamp reporter but he has filed an undertaking that he shall remove the defects within 30 days after the physical court starts and the bail application may be heard, as it is a regular bail application of the petitioner and petitioner is in custody since 12.05.2020.

Considering the same, this Court is inclined to hear the bail application on merits but with condition that petitioner shall remove the defects within 30 days after the physical court starts.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the physical court starts so as to remove the defects. Heard, learned counsel for the petitioner, Mr. Baleshwar Yadav and learned counsel for the State, Mrs. Lily Sahay.

Learned counsel for the petitioner has submitted that petitioner has prayed for grant of regular bail in connection with Itkhori P.S. Case No.59 of 2020, for the offence registered under Sections 144, 149, 385, 307, 379 IPC, under Section 27 of the Arms Act and under Section 17(i)(ii) of C.L.A. Act. Learned counsel for the

petitioner has submitted that petitioner is named in the FIR at serial no.3 and same has been lodged against five persons but petitioner has not been arrested at the spot nor he has any criminal antecedent, and is in custody since 12.05.2020, as such, he may be enlarged on bail. Learned counsel for the State has opposed the prayer for bail and has submitted that this petitioner along with Umesh Bhuiyan went to the collect money, as such, to assist the Court, the counter-affidavit is necessary. Considering the rival submissions of the parties, learned State counsel is directed to file counter-affidavit within four weeks.

List this case after four weeks along with counter-affidavit with regard to the ownership of mobile bearing No.7033901434 from which ransom was demanded from informant and the material collected during investigation against the petitioner.