

(2020) 12 JH CK 0111
In the Jharkhand High Court
Case No : Bail Application No. 9667 Of 2020

Lowrence Toppo @ Sandeep

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 14-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 147, 148, 149, 307, 332, 353
Arms Act, 1959 — Section 25(1b)a, 26, 27, 35
Criminal Law Amendment Act, 1932 — Section 17

Citation : (2020) 12 JH CK 0111

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Ankit Vishal, Nawin Kr. Singh

Final Decision : Allowed

Judgement

Heard the parties through video conferencing.

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

In view of personal undertaking given by the 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 S.T. Case No. 442 of 2019 arising out of Dhurwa (T) P.S. Case No. 159 of 2014 registered

under sections 147, 148, 149, 307, 332, 353, of the Indian Penal Code and Section 25(1-b)a, 26, 27, 35 of the Arms Act and Section 17 of C.L.A. Act.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner was involved in firing upon the police personnel. It is submitted that the allegation against the petitioner is false. It is

next submitted that only on the basis of the confessional statement of the co-accused-Jetha Kachhap, the petitioner has been implicated in this case and the co-accused, with similar allegations, has been admitted to bail by the Co-ordinate Bench of this Court vide order dated 14.07.2015 passed in B.A. No.4058 of 2015. It is next submitted that the petitioner undertakes to cooperate with the trial of the case. It is further submitted that the petitioner has been remanded in this case on 02.11.2017 from Khunti P.S. Case No.05 of 2010. Hence it is submitted that the petitioner be released on bail.

Learned Addl. P.P. opposes the prayer for bail.

Considering the facts of this case, the above named petitioner is directed to be enlarged 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 Additional Judicial Commissioner- XVII at Ranchi in connection with S.T. Case No. 442 of 2019 arising out of Dhurwa (T) P.S. Case No. 159 of 2014 with the condition that he will cooperate with the trial of the case.