
(2017) 07 JH CK 0053
In the Jharkhand High Court
Case No : 1398 of 2017

Madan Prasad

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 26-07-2017

Acts Referred:

Citation : (2017) 07 JH CK 0053

Hon'ble Judges : Rajesh Shankar

Bench : SINGLE BENCH

Advocate : Robin Kumar

Final Decision : Disposed

Judgement

1. Heard learned counsels for the parties.
2. The present petition has been filed for modification of number of Sessions Trial mentioned in last paragraph of the order dated 08.02.2017 in B.A. no. 205 of 2017.
3. Learned counsel for the petitioner submits that since in the order dated 09.11.2016 passed by Additional Sessions Judge-IV, Chaibasa, the number of Sessions Trial was written as S.T. no. 69 of 2016, in the bail application being B.A. No. 205 of 2017, the number of Sessions Trial was also written as S.T. no. 69 of 2016. However, the petitioner is actually facing trial in S.T. no. 48 of 2017.
4. For confirming the said fact, a report was called for from the concerned court below, which has now been received. On perusal of the report submitted by the District & Additional Sessions Judge-II, West Singhbhum at Chaibasa, vide letter no. 819 dated 20.07.2017, it appears that both the Sessions Trial cases i.e. S.T. No. 69 of 2016 and S.T. No. 48 of 2017 have originated from Noamundi P.S. Case no. 40 of 2015 corresponding to G.R. No. 506 of 2015 but since the charge-sheet was submitted by the I.O. in two stages, there are two sessions trials i.e. S.T. No. 69 of 2016 and S.T. No. 48 of 2017. It also appears from the said report

that S.T. No.69 of 2016 is related to accused persons namely (1) Gabriyal Sanga @ Mota, (2) Rajat Kumar Tidu, (3) Amar Kumar Tidu, (4) Anil Purty, (5) Krishna Kumar Sinku, (6) Ranveer Tanti while S.T. No. 48 of 2017 is related to two accused persons namely Ramjeevan Purty @ Ram (the petitioner) and Surendra Orawn @ Takla.

5. Considering the report of District & Additional Sessions Judge-II, West Singhbhum at Chaibasa, the last paragraph of the order dated 08.02.2017 passed in B.A. No. 205 of 2017 is modified and replaced as under :

6. "Considering the aforesaid facts and circumstances of this case, I am inclined to enlarge the petitioner on bail. Accordingly, 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 learned Additional Sessions Judge- IV, Chaibasa in connection with Sessions Trial no. 48 of 2017 arising out of Nowamundi P.S. Case no. 40 of 2015 corresponding to G.R. No. 506 of 2015, subject to the condition that petitioner shall co-operate in the trial and shall be present as and when required by the court, failing which the trial court is at liberty to pass appropriate order against the petitioner in accordance with law."

7. The criminal miscellaneous petition is, accordingly, disposed of.