
(2020) 11 JH CK 0074

In the Jharkhand High Court

Case No : Bail Application No. 8885 Of 2020

Mangal Pahan @ Mangal Munda

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 26-11-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 386, 387

Citation : (2020) 11 JH CK 0074

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Anjani Kumar, S.K. Srivastava

Judgement

Heard the parties through video conferencing. Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the

stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

The petitioner has moved this Court for grant of privilege of regular bail in connection with Gua P.S. Case No.43 of 2010 (G.R. No.383(S) of 2010)

registered under sections 386/387/34 of the Indian Penal Code.

The learned counsel for the petitioner submits that earlier the petitioner was granted regular bail by the trial court but he absconded and thereafter, the

petitioner was arrested and is in custody since 28.07.2020 as has been mentioned in paragraph no. 19 of the bail application. It is further submitted that

the allegations against the petitioner are all false and the absence of the petitioner was not intentional and consequent upon the death of his mother due

to shock, the petitioner could not attend the court on the date fixed. It is next

submitted that the petitioner is an illiterate person and he is suffering from acute financial crisis and hence, he could not contact his lawyer and he went to Ahmedabad to earn his livelihood. It is lastly submitted that the petitioner undertakes to cooperate with the trial of the case and also undertakes that he will not misuse the bail in future. Hence, it is submitted that the petitioner be admitted to bail. The learned Addl. P.P. opposes the prayer for bail. Considering the submissions of the counsels and the fact as discussed above, I am inclined to enlarge the above named petitioner on bail. Accordingly, the petitioner is directed to be released 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 C.J.M., Chaibasa, in connection with Gua P.S. Case No.43 of 2010 (G.R. No.383(S) of 2010) with the condition that he will cooperate with the trial of the case with further condition that he will not misuse the bail in future.