
(2020) 08 JH CK 0033
In the Jharkhand High Court
Case No : B.A. No. 4819 of 2020

Manu Yadav @ Mannu Yadav And Ors

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 10-08-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 209, 420, 467, 468, 471

Citation : (2020) 08 JH CK 0033

Hon'ble Judges : Kailash Prasad Deo, J

Bench : Single Bench

Advocate : A.K. Chaturvedy, P.D. Agrawal

Judgement

Learned counsel for the petitioners has submitted that though there are some defect i.e. defect nos.5(e) and 9(i) to 9(iv) in the bail application as

pointed out by the stamp reporter vide dated 06.07.2020 but he has filed an undertaking that he shall remove the defects after the lockdown period is

over and the bail application may be heard as it is a regular bail in which petitioner is in custody since 17.04.2020.

Considering the same, this Court is inclined to hear the bail application on merit but with condition that petitioner shall remove the defects within 30

days after the lockdown period is over.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the lockdown period is over so as to remove the defects. Heard,

learned counsel for the petitioners, Mr. A.K. Chaturvedy and learned counsel for the State, Mr. P.D. Agrawal.

Learned counsel for the petitioner has prayed for grant of regular bail in connection with Burmamines P.S. Case No.30 of 2020 dated 16.04.2020,

corresponding to G.R. Case No.807 of 2020, for the offence registered under Sections 420, 467, 468, 471 and 209/34 IPC and Section 47(A) of Excise

Act. Learned counsel for the petitioners has submitted that the petitioners are working as a driver and labourer in the tempo bearing registration

No.JH05BX-8892 in which foreign liquor, 139 bottles of Royal Stag, 180 ml each and 224 bottles of Imperial Blue, 180 ml each i.e. total 366 bottles

have been recovered, during the strictly prohibited period of lockdown, as such, FIR has been lodged.

Learned counsel for the petitioners has further submitted that petitioners are illiterate person and they are working as a driver and labourer in the

tempo in which articles with valid paper of Bazar Samiti have been loaded and petitioners are in custody since 17.04.2020, as such, they may be

enlarged on bail.

Learned counsel for the State has opposed the prayer for bail. After hearing, learned counsel for the parties and perusing the materials brought on

record and petitioners are working as a driver and labourer in the tempo, as such, petitioners (Manu Yadav @ Mannu Yadav and Ram Kumar Yadav)

are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the

satisfaction of learned Judicial Magistrate, 1 st Class, Jamshedpur in connection with Burmamines P.S. Case No.30 of 2020 dated 16.04.2020,

corresponding to G.R. Case No.807 of 2020 on the following conditions:-

(i) One of the bailors shall be deponent of the present case namely, Siyaram Yadav, S/o Bhuar Yadav, R/o Village-Gwalapatti, P.O.- Kitadih, P.S.-

Bagbera, District- E. Singhbhum having UID Card No.9956 9991 7177.

Office is directed to send photo copy of the UID Card bearing No. 9956 9991 7177 of deponent along with this order to the court below so as to verify

the authenticity of the bailor.

(ii) The Jail Authority shall release the petitioners only after their medical check-up.

(iii) The Civil Surgeon, Jamshedpur is directed to medically examine the petitioners at the time of their release and if require, petitioners shall be taken

for quarantine, but if no such requirement is there, they shall be released forthwith, if not wanted in any other case.

(iv) Petitioners shall appear before the learned trial court on each and every date

till conclusion of the trial, failing which the learned trial court shall cancel the bail bonds of the petitioners.

(v) Petitioners shall also comply with all the guidelines issued by the Government to meet the challenges of Covid-19, as the country is passing through Pandemic of Covid-19.