

(2020) 05 JH CK 0063

In the Jharkhand High Court

Case No : Criminal Appeal (SJ) No. 177 Of 2020

Panu Singh @ Pannu Singh

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

Date of Decision : 12-05-2020

Acts Referred:

Indian Penal Code, 1860 — Section 144, 147, 323, 342, 384, 385
Scheduled Caste and Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3, 4

Citation : (2020) 05 JH CK 0063

Hon'ble Judges : Ratnaker Bhengra, J

Bench : Single Bench

Advocate : Rahul Kumar, Rakesh Ranjan

Final Decision : Allowed

Judgement

Heard both counsels through video conferencing as well as through telephonic conversation in which both the counsels Mr. Rahul Kumar, counsel for the appellant and Mr. Rakesh Ranjan, counsel for the State could hear each other and also I was able to conduct the hearing.

The present appeal has been preferred by the appellant against the order dated 09.01.2020 passed in Cr. Misc. Application No. 488 of 2019 whereby and whereunder the regular bail filed by the appellant in connection with Mandu (Kuju) P.S. Case No. 76 of 2013 registered for the offence under sections 144/147/323/384/385/342 of the IPC & under section 3 /4 SC/ST (Prevention of Atrocities) Act, has been rejected and which is now pending in the court of learned Additional Sessions Judge-1, Ramgarh.

Learned counsel for the appellant Mr. Rahul Kumar has submitted that the allegations made against the appellant are unfounded and cannot be substantiated and they are also for a meager amount of Rs. 1500/-. He has further submitted that a case was also compromised between them which is indicated in paragraph no. 11 of the petition which shows that the appellant does

not have any ill intention towards the complainant-party. He has further submitted that the appellant has been chargesheeted but due to lock-down the charge has not been framed against him as yet, however he has already spent sufficient time in custody from 11.11.2019. He has further submitted that he is willing to submit any surety, any other fine or any other similar condition which the Hon'ble Court may impose against him and thinks proper.

Learned counsel for the State, learned APP Mr. Rakesh Ranjan has however submitted that apart from the offence of extortion, from his own petition page 18 paragraph-5 the abuse and filthy language used by the accused against the victim can be made out and for which he has been chargesheeted and therefore, he does not deserve bail.

Having gone through the arguments of both the sides, having gone through the records and in the facts and circumstances of the case, the appellant, above named, is directed to be released on bail, on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1, Ramgarh in connection with Mandu (Kuju) P.S. Case No. 76 of 2013 with condition that the appellant will deposit Rs. 25,000/- in Advocates' Association Welfare & Development Fund, Jharkhand High Court Ranchi and he will submit evidences or proof of payment made to the Advocates' Association Welfare & Development Fund, Jharkhand High Court Ranchi while obtaining the bail.

Accordingly, this criminal appeal is allowed.