
(2020) 11 JH CK 0154
In the Jharkhand High Court
Case No : Bail Application No. 6717 Of 2020

Ramrai Surin

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 03-11-2020

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 147, 148, 149, 302, 307, 323, 324, 325, 341

Citation : (2020) 11 JH CK 0154

Hon'ble Judges : Kailash Prasad Deo, J

Bench : Single Bench

Advocate : D.K. Chakaraverty, Tapas Roy

Final Decision : Allowed

Judgement

Learned counsel for the petitioner has given an undertaking to comply the previous order with regard to removal of the defect(s). Heard, learned

counsel for the petitioner, Mr. D.K. Chakaraverty, and learned counsel for the State, Mr. Tapas Roy.

Learned counsel for the petitioner has submitted that petitioner has prayed for grant of regular bail in connection with Parsudih P.S. Case No.139 of

2019, for the offence registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 302 and 120B IPC.

Learned counsel for the petitioner has submitted that there was free fight inside the jail between two groups of criminal, the name of the petitioner at

serial no.23. One of the injured, Manoj Kumar Singh died during treatment and his statement has not been recorded during investigation, but another

injured, Sumit Kumar Singh has been examined and his statement has been recorded in para 94 of the case diary where he has not taken name of this

petitioner as an active member in the occurrence.

Learned counsel for the petitioner has submitted that on the basis of material collected by the investigating officer in the CCTV footage, petitioner has been made accused.

Learned counsel for the petitioner has further submitted that when commotion developed in the jail there were persons fleeing from one place to another, as such, getting picture of such persons in CCTV footage will not give such material to connect the petitioner with the alleged offence.

Learned counsel for the petitioner has further submitted that other co-accused persons namely, Md. Tauqeer @ Md. Touqeer has been granted bail

by co-ordinate Bench of this Court vide order dated 24.10.2019 passed in B.A. No.8532 of 2019, co-accused, Shoaib Akhtar @ Shibu @ Shoaib

Akther has been granted bail by co-ordinate Bench of this Court vide order dated 22.10.2019 passed in B.A. No.9457 of 2019, co-accused, Harish

Singh @ Harish Kumar Singh has been granted bail by co-ordinate Bench of this Court vide order dated 20.11.2019 passed in B.A. No.10292 of 2019,

co-accused, Gopal Tirya @ Gopal Tiriya has been granted bail by co-ordinate Bench of this Court vide order dated 17.01.2020 passed in B.A. No.59

of 2020, co-accused, Basudev Mahato has been granted bail by co-ordinate Bench of this Court vide order dated 21.08.2020 passed in B.A. No.5224

of 2020, co-accused, Md. Jani Ansari has been granted bail by co-ordinate Bench of this Court vide order dated 08.09.2020 passed in B.A. No.5722

of 2020, as such, petitioner who is in custody since 06.07.2019, may be enlarged on bail.

Learned counsel for the State has opposed the prayer for bail but has not disputed that injured has not specifically alleged against the petitioner and

other co-accused persons have been granted bail.

After hearing, learned counsel for the parties and perusing the materials brought on record and looking to the facts and circumstances of the case ,

this Court is inclined to grant Bail to the petitioner. Accordingly, petitioner (Ramrai Surin), is directed to be released on bail on furnishing bail bond of

Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate

at Jamshedpur in connection with Parsudih P.S. Case No.139 of 2019 on the following conditions:-

(i) One of the bailors shall be deponent/parivikar of the present case namely,

Harwinder Singh, S/o Darshan Singh, R/o H.No. 62, Birsanagar Zone

No.6, Near New Shiv Mandir, P.O. & P.S.- Birsanagar, Town Jamshedpur, District-East Singhbhum (Jharkhand), who has furnished photocopy of

his UID Card bearing No.5902 3420 2887 before this Court in the bail application.

Office is directed to send photo copy of the UID Card bearing No. 5902 3420 2887 of deponent along with this order to the court below so as to verify

the authenticity of the bailor.

(ii) Another bailor shall be mother/father/brother/sister/son.

(iii) The Jail Authority shall release the petitioner only after his medical check- up.

(iv) The Civil Surgeon, Jamshedpur is directed to medically examine the petitioner at the time of his release and if require, petitioner shall be taken for quarantine, but if no such requirement is there, he shall be released forthwith, if not wanted in any other case.

(v) Petitioner 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.