

(2021) 03 JH CK 0234

In the Jharkhand High Court

Case No : Bail Application No. 2573 Of 2021

Somyari Murmu @ Gupan Murmu

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 09-03-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 341, 370, 371, 504, 506
Code Of Criminal Procedure, 1973 — Section 156(3)

Citation : (2021) 03 JH CK 0234

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Gautam Kumar, Bishambhar Shastri

Judgement

Heard the parties through video conferencing.

Learned counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

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

The petitioner has been made accused in connection with Ranga P.S. Case No. 76 of 2019, corresponding to G.R. No.1073 of 2019 registered under sections 341, 323, 370, 371, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner was involved in human trafficking and took the sister of the complainant to Delhi on assurance of a job but her sister did not return. It is submitted that the allegation against the petitioner is false and charge sheet has also already been submitted in this case. It is next submitted that admittedly the victim is a major lady and she just accompanied the petitioner like others and the petitioner is no way responsible for tracking whereabouts of the said victim once they reached Delhi. It is further submitted that there is an inordinate delay in institution of complaint which upon being

forwarded to the police under Section 156 (3) Cr.P.C., this case has been instituted. It is then submitted that the petitioner undertakes to co- operate with the trial of the case. It is lastly submitted that the petitioner has been in custody since 07.08.2020 as mentioned in paragraph 1 of the bail application. Hence it is submitted that the petitioner be released on bail.

Learned Addl. P.P. submitted that no one has instructed him on behalf of the State and he has not called for the memo of evidence from the concerned officer of the State though he has received the copy of the bail application on 09.02.2021.

Considering the facts of this case, the above named petitioner is directed to be enlarged 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 Additional Chief Judicial Magistrate, Rajmahal in connection with Ranga P.S. Case No. 76 of 2019, corresponding to G.R. No.1073 of 2019 with the condition that he will co-operate with the trial of the case.

Before parting, it is pertinent to mention here that it is a a serious misconduct on the part of concerned Addl. P.P. for the State of receiving the copy of the bail application but not intimating any authority of the state to brief him about the case thereby keeping the State of Jharkhand in dark about this case. The Principal Secretary (Law) is directed to ensure that such type of misconduct of Addl.P.P. is not repeated.

The Registrar General of this Court is directed to send the copy of this order to The Principal Secretary (Law), State of Jharkhand, for ensuring compliance of the order.