
(2020) 11 JH CK 0124

In the Jharkhand High Court

Case No : Bail Application No. 6023 Of 2020

Sukhdeo Munda @ Mangra Munda

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 02-11-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 302
Arms Act, 1959 — Section 27

Citation : (2020) 11 JH CK 0124

Hon'ble Judges : Kailash Prasad Deo, J

Bench : Single Bench

Advocate : Anil Kumar Ganjhu, Rajesh Kumar

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. Anil Kumar Ganjhu, and learned counsel for the State, Mr. Rajesh Kumar.

Learned counsel for the petitioner has submitted that petitioner has prayed for grant of regular bail in connection with Maranghada P.S. Case No.06

of 2018, corresponding to G.R. Case No.294 of 2018 and S.T. No.63 of 2020 for the offence registered under Sections 302/34 IPC and under Section

27 of Arms Act.

Learned counsel for the petitioner has submitted that in pursuance of the order dated 14.09.2020, counter-affidavit has already been filed by the State.

Learned counsel for the petitioner has submitted that after going through the counter-affidavit it appears that the material brought against the petitioner

is confessional statement of the petitioner and petitioner has criminal antecedent

in a different case though no legal material has been brought on record against the petitioner with regard to the present case. Learned counsel for the petitioner has further submitted that the instant FIR has been lodged against unknown and petitioner is in custody since 26.09.2019, as such, he may be enlarged on bail.

Learned counsel for the State has opposed the prayer for bail and has submitted that this petitioner has confessed his guilt before the police and he has also criminal antecedent, as such, petitioner may not be enlarged on 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 as petitioner is not named in the FIR nor any eye witness has been examined in this case and only confessional statement of the petitioner has been brought on record, this Court is inclined to grant Bail to the petitioner.

Accordingly, petitioner (Sukhdeo Munda @ Mangra Munda), 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 District & Addl. Sessions Judge-II, Khunti in connection with

Maranghada P.S. Case No.06 of 2018, corresponding to G.R. Case No.294 of 2018 and S.T. No.63 of 2020 on the following conditions:-

(i) One of the bailors shall be deponent/parivikar of the present case namely, Thakura Munda, S/o Virasingh Munda, R/o Village- Onto, P.O.-

Hakadua, P.S. & District- Khunti (Jharkhand), who has furnished photocopy of his UID Card bearing No.2726 1069 5178 before this Court in the bail application.

Office is directed to send photo copy of the UID Card bearing No. 2726 1069 5178 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) Petitioner shall appear before the learned trial court on each and every date fixed for his appearance.

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

(v) The Civil Surgeon, Khunti 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.

(vi) 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.