
(2021) 02 JH CK 0207

In the Jharkhand High Court

Case No : Criminal Miscellaneous Petition No. 1453 of 2020

Susen Mahto And Ors

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 26-02-2021

Acts Referred:

Probation of Offenders Act, 1907 — Section 4

Citation : (2021) 02 JH CK 0207

Hon'ble Judges : Deepak Roshan, J

Bench : Single Bench

Advocate : Vijay Shankar Jha, Vandana Bharti

Final Decision : Allowed

Judgement

1. Heard learned counsel for the parties through V.C.
2. The instant Criminal Miscellaneous Petition has been preferred by the petitioners for modification of the judgment and order dated 28.11.2019, passed in Cr. Revision No.600 of 2014, whereby petitioners were directed to be released under Section 4 of the Probation of Offenders Act with condition that the petitioner shall file two sureties to the tune of Rs.25,000/- each coupled with personal bond to the effect that they shall not commit any offence and shall be of good behavior and shall maintain peace during the period of two years. It was further ordered that if there is breach of any condition, they will subject themselves to undergo sentence as directed by the learned trial court. The bond aforesaid be filed by the petitioner within three months from the date of the judgment. Further condition was that the petitioners shall also pay fine of Rs.3,000/- each before the Secretary, DLSA, Saraikella within a period of three months from the date of the judgment or the petitioner shall serve SI for 3 months for non-compliance of the

order of fine.

3. Learned counsel for the petitioner submits that due to lockdown they could not file the personal bond with two sureties to the tune of Rs.25,000/-

before the court concerned. In this view of the matter learned counsel for the petitioners prays that the original order dated 28.11.2019 may be

modified to the extent that the petitioner may be granted liberty to file personal bond with two sureties to the tune of Rs.25000/- each within a further

period of Eight Weeks from today.

4. Learned APP does not raise any serious objection.

5. In view of the aforesaid facts and circumstances of the case and arguments adduced by the parties, the order dated 28.11.2019 passed in Cr.

Revision No.600 of 2014 is, hereby, modified to the extent that the petitioners are directed to file personal bond with two sureties to the tune of

Rs.25000/- each before the court concerned within a further period of Eight Weeks from today.

6. It is made clear that the petitioners shall be discharged from the liability of their bail bonds only on the fulfillment of the aforesaid condition.

7. With the aforesaid modification in the order dated 28.11.2019, passed in Cr. Revision No.600 of 2014, the instant Cr.M.P. stands allowed and

disposed of.

8. Let a copy of this order be sent to the court concerned through â??FAXâ?? at the cost of Petitioners.