
(2020) 08 JH CK 0036
In the Jharkhand High Court
Case No : B.A. No. 4815 of 2020

Talu Soren @ Tulu Soren

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 10-08-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 201, 302, 364

Citation : (2020) 08 JH CK 0036

Hon'ble Judges : Kailash Prasad Deo, J

Bench : Single Bench

Advocate : Manoj Kr. Sah, Ashok Singh

Judgement

Learned counsel for the petitioner has submitted that though there are defects being defect nos.9(i) to 9(vii) in the bail application as pointed out by the

stamp reporter dated 06.07.2020 but he has filed an undertaking that he shall remove the defects after the lockdown period is over and the bail

application may be heard as it is a regular bail in which petitioner is in custody since 24.10.2019. Considering the same, this Court is inclined to hear the

bail application on merit but with condition that petitioner shall remove the defects within 30 days after the lockdown period is over.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the lockdown period is over so as to remove the defects. Heard,

learned counsel for the petitioner, Mr. Manoj Kumar Sah and learned counsel for the State, Mr. Ashok Singh.

Learned counsel for the petitioner has prayed for grant of regular bail in connection with Boarijore P.S. Case No.20 of 2019, for the offence

registered under Sections 364, 302, 201 and 34 IPC.

Learned counsel for the petitioner has submitted that petitioner along with Chhanja Soren @ Sanjay Soren have been made accused in the FIR on the basis of suspicion and land dispute. The prayer for bail of co-accused, Chhanja Soren @ Sanjay Soren has been rejected by a co-ordinate Bench of this Court vide order dated 30.06.2020 in B.A. No.3410 of 2020 as co-accused, Chhanja Soren @ Sanjay Soren has confessed his guilt and on the basis of that dead body was recovered. In the confessional statement of the co-accused, the petitioner has not been attributed regarding any overt act and the petitioner is in custody since 24.10.2019, as such, petitioner may be enlarged on bail. Learned counsel for the State has opposed the prayer for bail and has submitted that counter affidavit, postmortem report and criminal antecedent report as well as confessional statement of the co-accused are necessary to be filed in this case, as such, sometime may be granted to file counter-affidavit. Considering the same, learned counsel for the State is directed to file a detail counter affidavit.

Put up this case after four weeks along with counter-affidavit.