
(2020) 08 JH CK 0162

In the Jharkhand High Court

Case No : Bail Appeal NO.5180 OF 2020

Uttam Kumar Chandravanshi @ Uttam Chandravanshi And Ors

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 05-08-2020

Acts Referred:

Indian Penal Code, 1860 — Section 188, 147, 148, 149, 307, 341, 323, 325, 337, 338, 353, 379, 504, 506

Citation : (2020) 08 JH CK 0162

Hon'ble Judges : Deepak Roshan, J

Bench : Single Bench

Advocate : Sanjay Kumar Tiwari, Anuradha Sahay

Final Decision : Allowed

Judgement

1. Heard learned counsel for the parties through V.C.
2. As prayed for by the learned counsel for the petitioner the defects as pointed out by the registry are hereby ignored for the time being.
3. The instant application has been preferred by the petitioner for grant of regular bail in connection with Kandi P.S. Case No.37 of 2020, registered under Sections 188, 147, 148, 149, 341, 323, 325, 353, 337, 338, 307, 379, 504, 506 of the IPC, which is pending before the learned Judicial Magistrate, 1st Class, Garhwa.
4. Learned counsel for the petitioner submits that the allegation leveled against the petitioner is general in nature and though there was injury but all are found simple in nature. He further submits that there is no criminal antecedent of these petitioners and for no fault they are laying in jail custody since 12.04.2020. He further referred the order passed by this Court in the case of other co-accused whereby they have been granted bail by coordinate Bench of this Court vide order dated 27.07.2020 in B.A. No.4450 of 2020.

5. Learned A.P.P. though opposed the prayer for bail of the petitioners, but could not dispute the fact that the injuries were simple in nature and other co-accused have been granted bail by this Court.

6. In view of the aforesaid facts and circumstances of the case, the petitioners are directed to be released on bail. At present, the petitioners shall be released on furnishing personal bail bond of Rs.5,000/-(Five Thousand Only) each, thereafter, when the Lockdown period is over, the petitioners shall furnish bail bond of Rs. 10,000/- (Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Garhwa, in connection with Kandi P.S. Case No.37 of 2020, within a period of one month from the date of lifting of Lockdown.

7. Further, the petitioners shall appear on each and every date during trial before the learned trial court whenever the functioning of regular court begins till then, the petitioners shall register their presence before the concerned police station fortnightly, failing which the learned trial court shall be at liberty to cancel their bail.

8. With the aforesaid directions, this bail application is allowed and disposed of.