
(2021) 03 JH CK 0238
In the Jharkhand High Court
Case No : Bail Application No. 2503 Of 2021

Viklesh Paswan And Ors

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 09-03-2021

Acts Referred:

Indian Penal Code, 1860 — Section 395

Citation : (2021) 03 JH CK 0238

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Niranjana Kumar, Nehala Sharmin

Final Decision : Dismissed

Judgement

Heard the parties through Video Conferencing.

Learned counsel for the petitioners personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned counsel for the petitioners the defects pointed out by the Stamp Reporter are ignored for the present.

The petitioners have been made accused in connection with Chitra P.S. case no. 88 of 2020 registered under Sections 395 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners have committed dacoity. It is then submitted by learned counsel for the petitioners that the allegation against the petitioners is false. It is further submitted by learned counsel for the petitioners that the petitioners have been identified in the TIP and the petitioners have been in judicial custody for a considerable period of time, hence, the petitioners may be released on bail.

Learned Addl. P.P. vehemently opposes the prayer for bail and submits that the petitioners have been identified in the TIP and there is every chance of

petitioners' absconding if released on bail hence, it is submitted that the petitioners ought not be released on bail at this stage.

Considering the serious allegation against the petitioner of committing dacoity and they have been identified in the TIP, this Court is of considered view that this is not a fit case where the petitioners be released on bail. Accordingly, the prayer for bail of the above named petitioners is rejected.

Keeping in view the period of custody undergone by the petitioner and in view the serious nature of offences involved in this case, notwithstanding any order in administrative side of this Court, the trial court is directed to take up the trial of the case expeditiously and to conclude the trial within six months from the date of receipt of this order by the trial Court. It is made clear that the trial be conducted and witnesses be examined by observing the precautions relating to COVID- 19 pandemic.