IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Criminal Miscellaneous Jurisdiction)
B.A. No. 6911 of 2020

Raj Kumar Singh ….. Petitioner

Versus

1. The State of Jharkhand
2. Ritesh Kumar Singh ….. Opp. Parties

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO
(Through : Video Conferencing)

For the Petitioner : Mr. Indrajit Sinha, Advocate.
For the State : Mr. Sanat Kumar Jha, A.P.P.
For the O.P. No. 2 : Mr. Bhola Nath Rajak, Advocate.

04/Dated: 18/12/2020

Heard, learned counsel for the petitioner, Mr. Indrajit Sinha, learned counsel for the State, Mr. Sanat Kumar Jha and learned counsel for the opposite party no. 2, Mr. Bhola Nath Rajak.

Learned counsel for the petitioner has assured this Court that he will comply the order dated 09.10.2020 with regard to removal of defects.

Learned counsel for the petitioner has submitted that petitioner has renewed his prayer for grant of regular bail in connection with Parsudih P.S. Case No. 156/2016 corresponding to G.R. No. 1776/2016, for the offence registered under Sections 406, 409, 420, 120(B) I.P.C.

Learned counsel for the petitioner has submitted that earlier the prayer for regular bail of the petitioner was rejected in terms of order dated 18.05.2020 passed in B.A. No. 2474/2020.

Learned counsel for the petitioner has further submitted that as per the settlement between the parties, Rs. 15,00,000/- has already been paid by the family of the petitioner to the complainant / informant and to that effect, they have filed a compromise petition.

Learned counsel for the petitioner has further submitted that no ingredient is made out to constitute an offence under Section 409 I.P.C. So far offence under Sections 420 & 406 I.P.C. are concerned, both are compoundable with the permission of the court.

Learned counsel for the petitioner has further submitted that petitioner is in custody since 28.11.2019 and may be enlarged on bail.

Learned counsel for the State, Mr. Sanat Kumar Jha, Additional Public Prosecutor has opposed the prayer for bail and has submitted that though the parties have settled the dispute, the petitioner has three criminal antecedents of similar nature.

Learned counsel for the informant, Mr. Bhola Nath Ojha, has submitted that the petitioner may be enlarged on bail.

Considering the rival submissions of the parties, looking into the facts and circumstances of the case particularly the compromise petition whereby it appears that Rs. 15,00,000/- has already been paid to the complainant / informant, this Court is inclined to enlarge the petitioner on bail. The petitioner 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 in connection Parsudih P.S. Case No. 156/2016, corresponding to G.R. No. 1776/2016 to the satisfaction of learned Additional Chief Judicial Magistrate, Jamshedpur on the following conditions:

(i) One of the bailors shall be the deponent / pairvikar of the present case namely, Amit Kumar Singh, son of Subhash Chandra Singh, resident of H.No. 8, Ward No. 5, Dindli Road, Saldih Basti, P.O. & P.S. - Adityapur-1, District - Seraikella-Kharsawan, who has furnished photocopy of his UID Card before this Court in the bail application.

Office is directed to send the photocopy of UID Card of deponent alongwith this order to the court below so as to verify the authenticity of the bailor.

(ii) Another bailor shall be father / mother / brother / wife of the petitioner.

(iii) Petitioner shall appear before the trial court on each and every date till conclusion of the trial.

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

(v) The Civil Surgeon, Jamshedpur is directed to medically examine the petitioner at the time of his release and if he is infected with corona virus, he 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) The petitioner shall follow all the guidelines issued by the Government to meet the challenges of Covid-19, as presently Country is passing through pandemic of Covid-19.

Accordingly, the instant bail application is allowed.

(Kailash Prasad Deo, J.)

Sunil-Jay/