IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 9422 of 2020

Atwa Barla … Petitioner

Versus

The State of Jharkhand ⋯ Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Ritesh Kumar, Advocate
For the State : Mr. V.K. Bashistha, Addl. P.P.

Order No.02 Dated- 10.12.2020

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

The petitioner has moved this Court for grant of bail in connection with S.T. No. 140 of 2018 arising out of Karra P.S. Case No.85 of 2016 [G.R. No. 433 of 2016(S)] registered under sections 323/302/379/34 of the Indian Penal Code and under section 27 of the Arms Act.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner was involved in the murder of the father of the informant who was posted as a Guard in Lodhma B.Ed. College. It is further submitted that the allegations against the petitioner are all false. It is then submitted that there is no eyewitness to the occurrence and the petitioner has been implicated in this case only on the basis of suspicion and on the basis of confessional statement of the co-accused -Suraj Tuti and Anthony Topno. It is next submitted that the petitioner has been in custody since 13.02.2020 as has been mentioned in paragraph no. 17 of the bail application. It is then submitted that the co-accused persons have already been released on bail by a coordinate Bench of this Court vide order dated 21.03.2018, passed in B.A. No. 1286 and 1292 of 2018 and vide order dated 17.11.2017, passed in B.A. No. 5736 of 2017. It is

lastly submitted that the petitioner undertakes to cooperate with the trial of the case. Hence, it is submitted that the petitioner be admitted to bail.

The learned Addl. P.P. opposes the prayer for bail.

Considering the submissions of the counsels and the fact as discussed above, I am inclined to enlarge the above named petitioner on bail. Accordingly, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Khunti, in connection with S.T. No. 140 of 2018 arising out of Karra P.S. Case No.85 of 2016 [G.R. No. 433 of 2016(S)] with the condition that he will cooperate with the trial of the case.

(Anil Kumar Choudhary, J.)

Sonu-Gunjan/