IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P (Cr.) No. 290 of 2015

Binod Kumar …. …. Petitioner(s).

Versus

1. State of Jharkhand
2. Smt. Bilasi Mahato
3. Guru Charan Mahato
4. Ananta Kumar Mahato
5. Amal Kishore Mahato …. …. Respondent (s)

CORAM : HON'BLE MR. JUSTICE ANANDA SEN.
THROUGH : VIDEO CONFERENCING

FOR THE PETITIONER(S) : Mr. R.S. Mazumdar, Senior Advocate
FOR THE RESPONDENT(S) : Mr. Jagdeesh AC to SC-I

04/10.12.2020

Heard learned counsel for the parties through video conferencing. The lawyer have no objection with regard to the proceeding, which has been held through video conference today at 11.00 A.M. They have no complaint in respect to the audio and video clarity and quality.

Learned senior counsel for the petitioner vehemently argues that bail was granted to opposite parties on a wrong pretext. He submits that petitioner has been cheated, thus the bail should have been rejected. He submits that in these types of cases, in case of cheating where persons are cheated, bail should not be granted.

I have gone through the impugned order, I find that this is a reasoned order. Bail was granted to the opposite parties after they remained in custody. The case was registered under Section 406, 420, 467, 468,120B/34 IPC on a complaint which was referred under Section 156(3) Cr.P.C for registering an FIR. The bail was granted on 28.5.2015. More than five years have lapsed and there is nothing on record to suggest that there was misuse of the privilege of bail or the accused persons tried to mislead the Court or had taken any steps to tamper with the evidence.

Considering the aforesaid fact, more so when the bail was granted five years back, I am not inclined to allow this application.

Accordingly, the instant application stands dismissed.

(ANANDA SEN , J)

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