

IN THE HIGH COURT OF JHARKHAND AT RANCHI

(Criminal Miscellaneous Jurisdiction)

A.B.A. No. 3122 of 2020

Dipak Turi

..... Petitioner

Versus

The State of Jharkhand

.....Opposite Party

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO

Through:- Video Conferencing

For the Petitioner

: Mr. P.S. Dayal, Advocate

For the State

: Mr. Anup Pawan Topno, A.P.P.

02/Dated: 09/09/2020

Learned counsel for the petitioner has submitted that though there are defect nos. 8 and 9(i) in the bail application as pointed out by the stamp reporter but he has filed an undertaking that he shall remove the defects within 30 days after the physical court starts and prayed for hearing of the anticipatory bail application, as petitioner is apprehending his arrest during pandemic of Covid-19.

Considering the same, this Court is inclined to hear the anticipatory bail application on merits, but with condition that petitioner shall remove the defects within 30 days after the physical court starts.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the physical court starts so as to remove the defects.

Heard, learned counsel for the petitioner, Mr. P.S. Dayal and learned counsel for the State, Mr. Anup Pawan Topno.

Learned counsel for the petitioner has submitted that petitioner is apprehending his arrest in connection with Gola P.S. Case No.66 of 2018, corresponding to G.R. No.847 of 2018, for the offence registered under Section 379 IPC against 25-30 unknown persons as they have taken away one transformer.

Learned counsel for the petitioner has submitted that on the basis of the confessional statement of co-accused namely, Binod Mahto, Mahendra Ravi and Daulat Mahto, name of the petitioner got transpired in the case as their associate.

Learned counsel for the petitioner has further submitted that petitioner has no criminal antecedent, as such, he may be enlarged on anticipatory bail.

Learned counsel for the State has opposed the prayer for bail but has not disputed the fact that the petitioner has been named by the co-accused in their

confessional statement.

Considering the rival submission of the parties and looking to the facts and materials brought on record and considering that petitioner has no criminal antecedent and his named got transpired upon the confessional statement of the co-accused, as such, petitioner is directed to surrender before the court below within eight weeks from the date of this order and in the event of his arrest or surrender, the court below shall enlarge the above named petitioner on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Ramgarh in connection with Gola P.S. Case No.66 of 2018, corresponding to G.R. No.847 of 2018 subject to the conditions, as laid down under Section 438(2) Cr.P.C and also on the following conditions:-

(i) One of the bailors shall be deponent/pairvikar of the present case namely, Vikram Kumar Turi, S/o Baleshwar Turi, R/o Kursa Ghaghra, Doria Bargaon, P.O. & P.S.- Ramgarh, District- Ramgarh, who has furnished photocopy of his UID Card bearing No.6958 3056 9800 before this Court in the bail application.

Office is directed to send photo copy of the UID Card bearing No. 6958 3056 9800 of deponent along with this order to the court below so as to verify the authenticity of the bailor.

Accordingly, the instant anticipatory bail application is hereby allowed.

(Kailash Prasad Deo, J.)