

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Criminal Miscellaneous Jurisdiction)
B.A. No. 4403 of 2020

1. Jayant Kumar @ Sher Singh
2. Mangesh Kumar @ Raja Kumar Petitioners
Versus
The State of Jharkhand Opp. Party

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

For the Petitioners : Mr. A.K. Sahani, Advocate.
For the State : Mr. Suraj Verma, A.P.P.
For the Informant : Mr. Amlan Palit, Advocate.

02/Dated: 27/07/2020

Heard, learned counsel for the petitioners, Mr. A.K. Sahani and learned counsel for the State, Mr. Suraj Verma, Additional Public Prosecutor assisted by learned counsel for the informant, Mr. Amlan Palit.

Learned counsel for the petitioners has submitted that though there is defect in the bail application as pointed out by the Stamp Reporter, but he has filed an undertaking that he shall remove the defect after the lock down period is over and the bail application may be heard as it is a regular bail in which petitioners are in custody since 12.05.2020.

Considering the same, this Court is inclined to hear the bail application on merits, but with condition that petitioner shall remove the defect after the lock down period is over.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the lock down period is over so as to remove the defect.

Learned counsel for the petitioners has submitted that Jagannathpur P.S. Case No. 175/2020 has been filed against 10 named accused persons. The petitioners are praying for grant of bail for the offence registered under Sections 147, 148, 149, 323, 341, 324, 325, 326 and 307 of the Indian Penal Code. There is case and counter case between the parties. The petitioners' side has also lodged case subsequently, which has been instituted as Jagannathpur P.S. Case No. 176/2020, as such, petitioners may be enlarged on bail.

Learned counsel for the State, Mr. Suraj Verma, assisted by learned counsel for the Informant, Mr. Amlan Palit has opposed the prayer for bail and has submitted that police is investigating both the case and till date, charge sheet has not been submitted.

Learned counsel for the informant has submitted that in the impugned order learned court below has not discussed the injury of Sanoj Kumar, who sustained injury on his head that too grievous in nature, as such, it would be proper if this Court calls case diary of both the cases and injury reports of injured of both the sides.

Considering the rival submissions of the parties, let case diary of Jagarnathpur P.S. Case No. 175/2020 along with injury report as well as case diary of Jagarnathpur P.S. Case No. 176/2020 along with injury report be called for from the court below.

List this case after two weeks.

Office is directed to verify whether any other accused persons of both Jagarnathpur P.S. Case No. 175/2020 and Jagarnathpur P.S. Case No. 176/2020 have preferred any bail application for grant of bail or not, if it is so, list all the bail applications with this application after two weeks.

(Kailash Prasad Deo, J.)

Sunil-Jay/