

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
(CRIMINAL MISCELLANEOUS JURISDICTION)
B.A. No. 4929 of 2020**

Dhirendra Kumar @ Dhirendra Chandrabanshi Petitioner
Versus
State of Jharkhand Opposite Party

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

For the Petitioner : Mr. Sheo Kumar Singh, Advocate
For the State : Mr. P.K. Agrawal, Spl.P.P

02/Dated: 27/07/2020:

Learned counsel for the petitioner has submitted that though there is defect(s) in the bail application as pointed out by the stamp reporter but he has filed an undertaking that he shall remove the defect(s) after the lockdown period is over and the bail application may be heard as it is a regular bail in which petitioner is in custody since 11.11.2019.

Considering the same, this Court is inclined to hear the bail application on merit but with condition that petitioner shall remove the defect(s) after the lockdown period is over.

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

Heard, learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner has prayed for grant of regular bail in connection with Pandwa P.S. Case No.86 of 2019, corresponding to G.R. Case No.66 of 2020, for the offence registered under Sections 25(1-B)(a) IPC and 26/35 of Arms Act.

Learned counsel for the petitioner has submitted that from possession of the petitioner one country made pistol loaded with three live cartridges has been recovered and petitioner has confessed that he has committed another crime on 29.10.2019, where he has looted a lot of motorcycles and a cash of Rs.10,000/- in Patan road and till date police has not remanded the petitioner in any occurrence alleged to have committed in Patan road on 29.10.2019 rather confessional statement has been wrongly recorded by the police and petitioner has no criminal antecedent.

Learned counsel for the petitioner has further submitted that police has already submitted charge sheet and petitioner is in custody since 11.11.2019, as such, petitioner may be enlarged on regular bail.

Learned counsel for the State has opposed the prayer for bail and has submitted that one country made pistol loaded with three live cartridges has been recovered from possession of the petitioner, as such, he may not be enlarged on bail.

Heard, learned counsel for the parties and perused the materials brought on record. Since the petitioner has no criminal antecedent and petitioner is in custody since 11.11.2019, as such, petitioner, named above, 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 to the satisfaction of learned JM 1st Class, Palamau at Daltonganj in connection with Pandwa P.S. Case No.86 of 2019, corresponding to G.R. Case No.66 of 2020, on the following conditions:-

(i) One of the bailors shall be deponent of the present case namely, Santu Ram, S/o Basu Ram, R/o Village- Sole, Jainagar, P.O. Gahar Patra, P.S. Pandwa, Distt.-Palamau and having UID Number 703665014681.

Office is directed to send photo copy of the UID Card bearing No. 703665014681 of deponent along with this order to the court below so as to verify the authenticity of the bailor.

(ii) Another bailor shall be close relative of the petitioner.

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

(vi) The Civil Surgeon, Palamau at Daltonganj is directed to medically examine the petitioner at the time of his release and if require, petitioner shall be taken for quarantine, but if no such requirement is there, he shall be released forthwith, if not wanted in any other case.

(v) Petitioner shall appear before the learned trial court on each and every date fixed for his appearance, failing which the trial court shall cancel the bail bonds of the petitioner.

(vi) Petitioner shall also comply with all the guidelines issued by the Government to meet the challenges of Covid-19, as the country is passing through Pandemic of Covid-19.

(Kailash Prasad Deo, J.)