

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Criminal Miscellaneous Jurisdiction)
B.A. No. 4392 of 2020

Rupesh Mandal @ Repesh Mandal @ Rupesh Kumar Mandal
..... Petitioner

Versus

The State of Jharkhand
..... Opp. Party

WITH

B.A. No. 4795 of 2020

Manish Kumar Mandal
..... Petitioner

Versus

The State of Jharkhand
..... Opp. Party

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

For the Petitioners : Mr. K.K. Mishra, Advocate.

Mr. Rahul Ranjan, Advocate.

For the State : Mr. Shailendra Kumar Tiwari, Spl.P.P.

02/Dated: 27/07/2020

Both the bail applications are taken up together as they arise from the same F.I.R.

Learned counsel for the petitioners has submitted that though there are some defect(s) in the bail applications as pointed out by the Stamp Reporter, but they have filed an undertaking that they shall remove the defects after the lock down period is over and the bail applications may be heard as it is a regular bail in which petitioners are in custody since 08.03.2020.

Considering the same, this Court is inclined to hear the bail applications on merits, but with condition that petitioners shall remove the defect(s) 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(s).

Learned counsel for the petitioner, Mr. K.K. Mishra, in B.A. No. 4392/2020 has submitted that recently he has been appointed as Additional Public Prosecutor of the State of Jharkhand, as such, under the Code, he cannot appear in B.A. No. 4392/2020 for the petitioner, as such, he will handover the file to the client, so as to engage another learned counsel.

Learned counsel for the State, Mr. Shailendra Kumar Tiwari, has submitted that two weeks' time may be granted to file counter affidavit along with criminal antecedent report of the petitioners.

Mr. Rahul Ranjan, learned counsel for the petitioner in B.A. No. 4795/2020 has no objection to that as both the bail applications are arising out of same F.I.R.

Considering the submission of the parties, let both the bail applications be listed after two weeks.

In the meantime, learned counsel for the State shall file counter affidavit as well as criminal antecedent report of the petitioners.

Let the name of Mr. Shailendra Kumar Tiwari, Spl.P.P. be reflected in the cause title of these cases on behalf of the State.

Sunil-Jay/

(Kailash Prasad Deo, J.)