

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J) No.66 of 2020

Chhotu Ansari @ Chhotu Jolha **Appellant**

Versus

1. The State of Jharkhand
2. Basanti Devi **Respondents**

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Appellant : Mr. A. K. Kashyap, Sr. Advocate
For the State : Mr. Azeemuddin, A.P.P
For the Resp. No.2 : Mr. J.S. Upadhyay, Advocate

05/Dated: 09th July, 2020

1. This appeal is directed against the order dated 09.01.2020 passed in SC/ST Case No.25 of 2019, (M.C.A. No.934 of 2019), whereby the prayer for bail of the appellant has been rejected by the court of learned Special Judge, SC/ST (Prevention of Atrocities) Act, Palamau at Daltonganj.

2. Having heard learned senior counsel for the appellant and learned A.P.P., assisted by the learned counsel for the respondent No.02, and on perusal of the materials on record, it appears that witness Kajal Kumari, in her statement under Section 161 Cr.P.C, had stated that the appellant alongwith Amarjeet Chourasia and other co-accused had come to her house and threatened her not to disclose about the wrongful act committed by Amarjeet Chourasia on Suman Kumari. Thereafter her statement was recorded under Section 164 Cr.P.C wherein she has stated that Amarjeet Chourasia alongwith four persons had come and threatened her but she could not identify the other four persons and has not named the appellant.

Considering the materials on record, I am inclined to enlarge the appellant on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (Prevention of Atrocities) Act, Palamau at Daltonganj in connection with SC/ST Case No.25 of 2019, (M.C.A. No.934 of 2019).

3. Accordingly the appeal is, hereby, allowed.

(AMITAV K. GUPTA, J.)