

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B. A. No. 8196 of 2020

Sohrai Oraon, S/o late Gondal Oraon, R/o Village-Bonga, PO&PS-Bagru,
Dist.-Lohardaga **Petitioner**

Versus

The State of Jharkhand **Opp. Party**

(Through V.C.)

CORAM : HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For the Petitioner : Mrs. Vani Kumari, Adv.

For the State : None

Order No.8/ Dated: 17th April, 2021

The petitioner who is an accused in Ghaghra P.S. Case No.88 of 2009 which was registered for the offences under sections 147, 148, 149, 307, 353, 414 and 120B of the Indian Penal Code and under sections 25(1-b)a/26/27/35 of the Arms Act is in custody since 14.02.2017.

He moved this Court in B.A. No.5454 of 2017 and B.A. No.5832 of 2018 seeking bail in the said case. Both the bail applications were dismissed by this Court.

The prosecution's case is that an information was received by the officer-in-charge of Ghaghra PS that Surendra Oraon @ Takla has visited the house of Budhman Oraon with his inmates and they were planning to commit some crime. Such information was entered in the station diary and the officer-in-charge of Ghaghra PS has proceeded with the police force to village Hapamuni. There an encounter took place and several rounds of firing were exchanged by the police force and the miscreants. After about half an hour of exchange of fire the police force encircled the house of Budhman Oraon and apprehended two ladies who were carrying fire-arms. On their disclosure a First Information Report was lodged against Ishwar Oraon, Sohrai Oraon, Jaleshwar Oraon, Surendra Oraon @ Takla and Fakir.

Mrs. Vani Kumari, the learned counsel for the petitioner submits that a First Information Report was lodged against the petitioner on disclosure of Maheshwari Devi and Sushanti Devi.

The learned counsel states that the petitioner is a married man and he has two sons and three daughters to support. He has lost his father who was a retired army man and moreover during the trial the witnesses who are examined by the prosecution have not spoken about his involvement in the incident.

It is further submitted that out of 17 witnesses the prosecution has examined only 3 witnesses. The last witness was examined way back on 06.03.2020

and thereafter no witness has been examined by the prosecution.

In view of the aforesaid facts and circumstances of the case, the petitioner, namely, Sohrai Oraon is directed to be released on interim bail, if not wanted in connection to any other criminal case, on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Assistant Sessions Judge-I, Gumla in connection with Ghaghra P.S. Case No.88 of 2009 corresponding to Spt. G.R. Case No.690 of 2009 (S.T. No.210 of 2013), on the following conditions:

- (i) one of the bailors shall be class-I legal heir of the petitioner,
- (ii) he shall disclose his present address in the bail-bonds furnished by him, and,
- (iii) he shall continue to appear in the trial as and when his presence is required by the Court.

Post this matter on 30.07.2021.

An affidavit shall be filed by the investigating officer on subsequent conduct of the petitioner.

It is indicated that if the petitioner is not found at the address disclosed by him the interim bail granted to him shall be cancelled forthwith.

Let a copy of this order be transmitted to the Superintendent of Police, Gumla through "FAX".

Let a copy of this order be sent to the trial Court through "FAX".

(Shree Chandrashekhar, J.)

R.K.