

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 2199 of 2021

Jamindra Prajapati @ Jamindra Kumar Prajapati @ Jamindar Kumar @
Jamindar Prajapati ...Petitioner

-V e r s u s-

The State of Jharkhand ...Opp. Party

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : - Mr. Pankaj Srivastava, Advocate

For the State :- Mr. Jitendra Pandey, A.P.P.

For the Informant :- Mr. Navin Kumar, Advocate

04/26.03.2021

The case is taken up through video conferencing.

Heard learned counsel for the parties.

Petitioner is an accused for the offences punishable under Sections 302/34 of the Indian Penal Code in connection with Sessions Trial No. 312 of 2019, pending in the court of Additional Sessions Judge-IV, Garhwa.

Learned counsel for the petitioner submits that the bail application of the petitioner was earlier rejected by this Court vide order dated 04.09.2019 passed in B.A. No. 6159 of 2019. By way of present bail application, the petitioner has renewed his prayer for regular bail primarily for the reason that some of the witnesses examined in the trial so far have turned hostile. Moreover, though the petitioner is in judicial custody since 23.03.2019, yet the trial has not been concluded till date. At least considering the length of judicial custody, the petitioner may be given the privilege of regular bail.

Mr. Jitendra Pandey, learned A.P.P. appearing on behalf of the State of Jharkhand, as well as Mr. Navin Kumar, learned counsel for the informant, while opposing the petitioner's prayer for bail, jointly submit that during the investigation, the informant being an eye-witness to the occurrence had duly narrated the manner of assault made by the petitioner upon the deceased. However, she has not yet been examined in the trial. Other co-accused namely Sita Ram Prajapati, Mahendra Prajapati and Chunnu @ Upendra Prajapati have also not been enlarged on bail.

Having heard the learned counsel for the parties, I am not inclined to enlarge the petitioner on bail. Accordingly, his bail application is rejected.

(Rajesh Shankar, J.)