

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 3266 of 2021

Guleshwar Manjhi ...Petitioner
-V e r s u s-
The State of Jharkhand ...Opp. Party

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : - Ms. Pinki Kumari, Advocate
For the State :- Mr. Arup Kumar Dey, A.P.P.

03/26.03.2021

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.

Learned counsel for the petitioner submits that the bail application of the petitioner was earlier rejected by this Court vide order dated 06.05.2020 passed in B.A. No. 1618 of 2020. By way of present bail application, the petitioner has renewed his prayer for regular bail. The main submission of the learned counsel for the petitioner is that the informant- Ram Chandra Manjhi, who has been examined in the trial as P.W. 3, has not supported the case of prosecution and has accordingly been declared hostile by the prosecution. Moreover, Shiv Lal Manjhi, who was said to be an eye-witness to the occurrence by the prosecution, has been examined in the trial as P.W. 5, but has not stated anything material against the petitioner. Under the said circumstance, the petitioner who is in judicial custody since 29.08.2019, may be given the privilege of regular bail.

Learned A.P.P. opposes the petitioner's prayer for bail.

Having heard the learned counsel for the parties, I am inclined to enlarge the petitioner on bail. Accordingly, the petitioner, above named, 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 the learned Additional Sessions Judge-III, Bermo at Tenughat in connection with Sessions Trial No. 401 of 2019, subject to the condition that the petitioner shall co-operate in the trial and shall be present as and when required by the Trial Court, failing which the said court is at liberty to pass appropriate order against the petitioner in accordance with law.