

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 10512 of 2020

Bhoglu Lohar..... Petitioner
Versus
State of Jharkhand. Opp. Party

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Coram: Hon'ble Mr. Justice Ananda Sen
Through:-Video Conferencing

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For the Petitioner : Mr. K.S. Nanda, Advocate
For the State : Mr. Suraj Singh, A.P.P.
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6/26.03.2021 The lawyers have no objection with regard to the proceeding, which has been held through video conferencing today at 11.00 A.M. They have no complaint in respect to the audio and video clarity and quality.

Heard learned counsel appearing for the petitioner and the learned counsel for the State, who opposes the prayer for bail of the petitioner.

The petitioner is an accused for allegedly committing offence punishable under Sections 147, 148, 302, 149 of the Indian Penal Code and Section 27 of the Arms Act, in connection with Adityapur P.S. Case No. 63 of 2018 (S.T. No. 107 of 2018), pending in the court of Additional Sessions Judge-II, Seraikela- Kharsawan.

Prayer for bail of this petitioner was earlier twice rejected by this Court on merit. Now, the petitioner has renewed his prayer for bail on the ground that a liberty was given to him vide last rejection order dated 13.04.2020, to renew his prayer for bail after six month if there is no progress in the trial.

Counsel for the petitioner submits that since there is no progress in the trial and six months have already passed and, therefore, the petitioner may be released on bail.

In April, 2020 COVID-2019 affected the entire country. The Court's works were close down even the examination of the witnesses were kept on hold. Very recently in guarded manner the trial courts have opened and the witnesses are being examined and their statements are being recorded. So the six months period, which was granted earlier, cannot be taken into consideration.

On the merits of the case, I find that the prayer for bail of this petitioner was twice rejected by this Court. There is direct allegation against the petitioner of assaulting the deceased by sharp cutting weapon as a result of which the deceased died. The informant is also the eyewitness, who has named this petitioner.

Considering the aforesaid fact, I am not inclined to reconsider the prayer for bail of this petitioner. Accordingly, the same is hereby rejected again.

However, the trial court is directed to take all possible steps to conclude the trial at the earliest, and if possible record the deposition of the witnesses on day to day basis.

(Ananda Sen, J)