

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 9138 of 2013**

1. Komal Lohra
2. Dasrath Lohra
3. Sukhdeo Oraon
4. Kuar Oraon
5. Somnath Oraon Petitioner

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For the Petitioners : Mr. Pankaj Kumar, Advocate
For the State : Mr. Tapash Kabiraj, A.P.P.

02/30.09.2013 Heard learned counsel appearing for the parties and perused the documents on record.

Learned counsel appearing for the petitioners while referring to page no. 13 of the paper-book has submitted that the petitioners have been made accused in Chandwa P.S. Case No. 100 of 2013, corresponding to G.R. No. 401 of 2013 registered under Sections 323, 341, 342, 387, 354, 504, 509 and 34 of the Indian Penal Code.

Learned counsel appearing for the petitioners has submitted that it has been admitted in the First Information Report itself that the ox of the petitioner no. 3 was stolen by the victim-lady and a panchayati was convened in which fine was imposed upon her. He further submitted that the alleged occurrence took place on 09.06.2013 and First Information Report was lodged only on 18.06.2013, after much deliberation. He further submitted that no foundational facts attracting the offence under section 387 of the Indian Penal Code has been pleaded and as such the offence under Section 387 is not attracted in the present case. He has submitted that petitioners are in judicial custody since 19.06.2013 and the charge-sheet has already been filed in the present case and therefore, petitioners deserve grant of regular bail.

In the facts and circumstances of the case and in view of the submissions made by the learned counsel for the petitioners, the petitioners namely, (i) Komal Lohra, (ii) Dasrath Lohra (iii) Sukhdeo Oraon (iv) Kuar Oraon and (v) Somnath Oraon are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Latehar in connection with Chandwa P.S. Case No. 100 of 2013 corresponding to G.R. No. 401 of 2013.

Needless to say that in addition to the conditions as prescribed under Section 437 Cr.P.C., the learned trial court would impose other conditions, if required.

(Shree Chandrashekhar, J.)

Tanuj/-