

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B. A. No. 3054 of 2017

Niranjan Mahto @ Kablu Mahto Petitioner
Versus
The State of Jharkhand Opp. Party

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Santosh Kumar Shukla, Advocate
For the Opp. Party : A.P.P.

02/28.04.2017 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offences punishable under Sections 147/148/149/302 of the Indian Penal Code and Section 3/4 of the Prevention of Witch (Daain) Practices Act.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The petitioner has been implicated in this case merely on suspicion, and on the basis of alleged information given by the deceased to the informant regarding the manner of occurrence. Even if the said information given by the deceased to the informant is treated to be true, the specific allegation of assault is against co-accused Pancham Mahto. There is general and omnibus allegation of assault against the rest of the accused persons. Similarly situated co-accused Bijay Mahto has already been granted regular bail by a co-ordinate Bench of this Court vide order dated 30.03.2016 in B.A. No.2511 of 2016. The petitioner is in judicial custody since 21.12.2016 and, therefore, he may be given the privilege of regular bail.

Learned A.P.P. has opposed the petitioner's prayer for bail.

Considering the aforesaid facts and circumstances, I am inclined to enlarge the petitioner, named above, on bail. Accordingly, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Palamau at Daltonganj in connection with Pandwa P.S. Case No.28 of 2014 corresponding to G.R. No.1125 of 2014.

(Rajesh Shankar, J.)

R.P./