

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.10116 of 2020

Sitaram Yadav ... Petitioner
Versus
The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Sheo Kumar Singh, Adv.
For the State : Mr. Bishambhar Shastri, Addl. P.P.

02/18.12.2020 Heard the parties through video conferencing.

Learned counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

The petitioner has been made accused in connection with Pipra P.S. Case No. 30 of 2020, corresponding to G.R. No.1095 of 2020 registered under sections 147/341/323/324/307/504/506/427 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner assaulted Rahul Yadav with iron rod and murdered him. It is submitted that the allegation against the petitioner is false. It is next submitted that there was a free-fight between the parties and the petitioner has also instituted Pipra P.S. Case No.31 of 2020. It is next submitted that the petitioner has no intention of murdering the deceased and the deceased died five days after the occurrence during the course of his treatment so it cannot be said that because of assault of the petitioner, the deceased died. It is lastly submitted that the petitioner is ready and willing to pay ad interim victim compensation of Rs.1,00,000/- without prejudice to his defence in this case in favour of the informant. It is next submitted that the petitioner undertakes to co-operate with the trial of the case. It is further submitted that the petitioner has been in custody since 17.05.2020 as mentioned in paragraph 18 of the bail application. Hence it is submitted that the petitioner be released on bail.

Learned Addl. P.P. opposes the prayer for bail.

Considering the facts of this case, the above named petitioner is directed to be enlarged on bail and depositing a demand draft of

Rs.1,00,000/- as ad interim victim compensation without prejudice to his defence in this case drawn in favour of the informant on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Palamau at Daltonganj in connection with Pipra P.S. Case No. 30 of 2020, corresponding to G.R. No.1095 of 2020 with the condition that he will co-operate with the trial of the case.

In case the petitioner deposits the said demand draft, the court below is directed to issue notice to the informant and on his proper identification, the court below shall handover the same to him forthwith.

Pappu/

(Anil Kumar Choudhary, J.)