

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 6636 of 2022

1. Monti Bhuiya @ Elha Bhuiya @ Elha Bhnia.
2. Rama Bouri Petitioners
Versus
The State of Jharkhand Opp. Party

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioners : Mr. M.B.Lal, Advocate
For the State : Mr. Sardhu Mahto, A.P.P.

02/ 30.06.2022 Heard learned counsel for the applicants and learned A.P.P. for the State.

This bail application has been filed on behalf of the applicants—(1) Monti Bhuiyan @ Elha Bhuiya @ Elha Bhnia & (2) Rama Bouri with prayer to release on bail in connection with Nirsa P.S. Case No. 195 of 2019, registered under Sections 147/148/149/341/342/323/325/302 of the Indian Penal Code, pending in the court of the Judicial Magistrate, 1st Class, Dhanbad.

Learned counsel for the applicants has submitted that the F.I.R. of this case was lodged against 20 named accused including the applicants and 80 to 90 unknown persons with these allegations that the informant police officer had received information that a person was being beaten by some persons. According reached there along with police force. Injured person was rushed to the Hospital. It was told by the villagers that the injured was roaming in the Basti and some persons after having nabbed him made query from him but no satisfactory answer was given by him. Taking him to be a thief all the named accused and unknown persons had assaulted to Pratham Singh. Ultimately he died on account of sustaining injuries.

Learned Counsel for the applicants has submitted that this F.I.R. was lodged against 20 named accused and 80 to 90 unknown persons. Role assigned to all the accused is general and omnibus. There is no other evidence against the applicants to show their any specific role in commission of the alleged offence. Similarly situated co-accused Gautam Bauri & Karan Bhuiya have been granted bail in B.A. No. 8147 of 2020 vide order dated 14.10.2020; Kishan Bhuiya, Pawan Kumar Bhuiya, Bishal Bauri @ Bishal Kumar Bauri & Buddha Bhuiya @ Luv Bhuiya have been granted bail in Cr. Revision No. 645 of 2020 vide order dated 16.12.2020 and Basant Bauri has been granted bail in B.A.No. 2096 of 2021 vide order dated 02.03.2021 by the Co-ordinate Bench of this Court and the applicant No.1 has been languishing in Jail since 25.04.2022 while applicant No.2 has been languishing in Jail since 09.05.2022.

Learned A.P.P. appearing on behalf of the State vehemently opposed the contentions made by the learned counsel for the applicants

In view of the submissions made and materials on record, the bail application of the applicants is hereby allowed. Let the applicants be released on bail on furnishing bail bond of Rs.30,000/-(Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the court concerned in aforesaid case.

(Subhash Chand, J.)

P.K.S./Minj.