

Gagan Nayak And Anr vs The State Of Jharkhand on 16 January, 2014

Author: H.C.Mishra

Bench: H.C.Mishra

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A No. 11762 of 2013

1. Gagan Nayak
2. Ajay Demta
..... Petitioners
-Versus-
The State of Jharkhand
..... Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioners : : M/s. Tarun Kumar
For the State : : M/s. A.P.P.

2/ 16.01.2014

. Heard learned counsel for the petitioners and the learned counsel for the State.

The petitioners have been made accused in connection with, Chutia P.S. Case No.65 of 2013, corresponding to G.R No.2004 of 2013, for the offence under Section 392 of the Indian Penal Code.

The case relates to robbery.

In the facts of this case, I am inclined to release the petitioners on bail. Accordingly, the petitioners, Gagan Nayak & Ajay Demta, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sri Rajiv Ranjan, learned Judicial Magistrate, 1 st Class, Ranchi, or his successor, in connection with, Chutia P.S. Case No.65 of 2013, corresponding to G.R No.2004 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Babu Mandal
..... Petitioner
-Versus-
The State of Jharkhand
..... Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. Sunil Kumar

For the State : : M/s. A.P.P.

4/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Ghatsila P.S. Case No.55 of 2013, corresponding to G.R No.364 of 2013, for the offence under Sections 457, 380, 411 of the Indian Penal Code.

From the F.I.R. it appears that the case relates to theft in a house. In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Babu Mandal, 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 Additional Chief Judicial Magistrate, Ghatsila, in connection with, Ghatsila P.S. Case No.55 of 2013, corresponding to G.R No.364 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Dwarika Mahto	 Petitioner
	-Versus-	
The State of Jharkhand	 Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner :	M/s. Ragini	
For the State :	M/s. A.P.P.	

2/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Bokaro Thermal P.S. Case No.90 of 2013, corresponding to G.R No.1199 of 2013, for the offence under Sections 413, 414, 120-B/ 34 of the Indian Penal Code and Section 33 of the Indian Forest Act.

From the F.I.R. it appears that the petitioner was apprehended with the tractor loaded with illegally mined coal.

In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Dwarika Mahto, 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 the Learned S.D.J.M., Bermo at Tenughat, in connection with, Bokaro Thermal P.S. Case No.90 of 2013, corresponding to G.R No.1199 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Munsif Ansari	 Petitioner
	-Versus-	
The State of Jharkhand	 Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner :		: M/s. Nilesch Kumar
For the State :		: M/s. A.P.P.

4/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Lohardaga P.S. Case No.130 of 2013, corresponding to G.R No.534 of 2013, for the offence under Section 7 of the Essential Commodities Act.

From the F.I.R. it appears that the petitioner was apprehended with 80 litres of kerosene oil allegedly being carried for black-marketing.

In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Munsif Ansari, 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 the learned Chief Judicial Magistrate, Lohardaga, in connection with, Lohardaga P.S. Case No.130 of 2013, corresponding to G.R No.534 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Ajeet Singh @ Ajeet Kumar Singh Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. Deepak Kr. Prasad
For the State : : M/s. A.P.P.

2/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Koderma P.S. Case No.228 of 2013, corresponding to G.R No.1068 of 2013, for the offence under Sections 25 (1-B)(a) / 26/ 34 of the Arm Act.

From the F.I.R. it appears that the petitioner was apprehended on 2.8.2013 and from his possession one pistol and eight cartridges were recovered.

In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Ajeet Singh @ Ajeet Kumar Singh 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 the learned Chief Judicial Magistrate, Koderma, in connection with, Koderma P.S. Case No.228 of 2013, corresponding to G.R No.1068 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Tinku @ Samir Ansari Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. Ashok Kumar Pandey
For the State : : M/s. A.P.P.

2/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Burmu P.S. Case No.28 of 2013, corresponding to G.R No.4136 of 2013, for the offence under Sections 25 (1-B)(a), 26, 35 of the Arms Act.

From the F.I.R. it appears that the petitioner was apprehended on 2.8.2013 and from his house one loaded pistol was recovered.

In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Tinku @ Samir Ansari, 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 the Sri S.B. Ojha, learned Judicial Magistrate, 1st Class, Ranchi, or his successor, in connection with, Burmu P.S. Case No.28 of 2013, corresponding to G.R No.4136 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Joginder Das @ Yogendra Das @ Rajiv @ Rajiv Kumar Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner :	: M/s. Vijay Shankar Jha
For the State :	: M/s. A.P.P.

2/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Deoghar Town P.S. Case No.103 of 2013, corresponding to G.R No.314 of 2013, for the offence under Sections 379, 411 of the Indian Penal Code.

The case relates to theft of a motorcycle. In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Joginder Das @ Yogendra Das @ Rajiv @ Rajiv Kumar, 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 the Sri Rajiv Ranjan, learned Judicial Magistrate, Deoghar, or his successor, in connection with, Deoghar Town P.S. Case No.103 of 2013, corresponding to G.R No.314 of 2013, T.R. No. 666 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Rajesh Saw @ Rajesh Sahu Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. Ajit Kumar
For the State : : M/s. A.P.P.

2/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Namkum P.S. Case No.85 of 2013, corresponding to G.R No.1530 of 2013, S.T. No. 624 of 2013, for the offence under Sections 326/ 307/ 304-B/ 34 of the Indian Penal Code.

The petitioner is the husband of the deceased and the F.I.R. was lodged by the deceased herself, while she was injured. She has specifically stated that the petitioner and the other co-accused persons had put her to fire. In the course of treatment, the deceased died.

In the facts of this case, I am not inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner Rajesh Saw @ Rajesh Sahu, is hereby rejected.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Abdul Razaque Khan : : Petitioner
-Versus-
1.The State of Jharkhand
2. Abid Ali : : Opposite Parties

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. Pandey A.N.Roy
For the State : : M/s. A.P.P.

4/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has filed this application for cancellation of bail granted by this Court to the O.P. No.2, Abid Ali by the order dated 31.08.2012 passed in B.A. No. 5239 of 2012.

It appears from the said order that the informant, who is the petitioner in this case had also been heard at the time of granting bail to the O.P. No.2, Abid Ali, who was made accused for the offence under Sections 420, 407 and 468 of the Indian Penal Code, in connection with Bistupur P.S. Case No. 124 of 2012, corresponding to G.R. No. 896 of 2012.

The case relates to alleged defalcation of Rs.60-70 lakhs by the office bearers of TISCO Friends Co-operative Credit Society, and the case was instituted by the rival faction of the Co-operative Society. Taking into consideration the Audit Report of the District Audit Officer, Co-operative Society, Jamshedpur, as also taking into consideration the fact that the F.I.R. was lodged due to the dispute between the two rival factions of the Co-operative Society, the bail was granted to Abid Ali by the aforesaid order.

Learned counsel for the informant-petitioner has submitted that the petitioner had obtained bail by suppressing the report of the District Audit Officer. Learned counsel has accordingly, prayed that the bail granted to the O.P. No.2, Abid Ali, be cancelled.

The order dated 31.08.2012 passed in B.A. No. 5239 of 2012 clearly shows that the informant was also heard at the time of granting bail to the O.P. No.2, Abid Ali. If there was any suppression of fact, that should have been brought to the knowledge of the Court at the time of hearing the bail application.

In the facts of this case, I am not inclined to interfere with the order dated 31.08.2012 passed in 5239 of 2012, granting bail to the O.P. No.2, Abid Ali. There is no merit in this application and the same is accordingly, dismissed.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Shiv Pujan Sharma	 Petitioner
	-Versus-	
The State of Jharkhand	 Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner :		: M/s. Swapan Kumar Samanta
For the State :		: M/s. A.P.P.

2/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Bagodar (Sariya) P.S. Case No.386 of 2013, corresponding to G.R No. 2848 of 2013, for the offence under Sections 364-A/ 34/ 120-B of the Indian Penal Code.

Two culprits were apprehended while they had kidnapped the son of the informant for ransom. The petitioner has been named by the apprehended co-accused to be one of the culprits who had managed to flee away.

In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Shiv Pujan Sharma, 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 the learned Chief Judicial Magistrate, Giridih, in connection with, Bagodar (Sariya) P.S. Case No.386 of 2013, corresponding to G.R No. 2848 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Shadab Azam @ Sadab Azam Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner :	: M/s. Shailesh
For the State :	: M/s. A.P.P.

2/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Katras (Angarpathra) P.S. Case No.257 of 2013, corresponding to G.R No. 3868 of 2013, for the offence under Sections 341/ 323/ 324/ 326/ 307/ 504 of the Indian Penal Code.

From the F.I.R. it appears that there was quarrel between the parties in which the petitioner had assaulted the informant and the other person by razor. The F.I.R. itself shows that the injured persons were the aggressors and had started the quarrel.

In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Shadab Azam @ Sadab Azam, 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 the learned S.D.J.M., Dhanbad, in connection with, Katras (Angarpathra) P.S. Case No.257 of 2013, corresponding to G.R No. 3868 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Kaleshwar Oraon @ Kamal Oraon Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner :	: M/s. Renu Bala
For the State :	: M/s. A.P.P.

2/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Garu P.S. Case No.11 of 2012, corresponding to G.R No. 278 of 2012, S.T. No. 137 of 2012, for the offence under Sections 147/ 148/ 149/ 353 of the Indian Penal Code, Section 27 of the Arms Act, Section 17 of the C.L.A. Act and Sections 3/ 4/ 5 of the Explosive Substance Act.

From the F.I.R. it appears that there was an encounter between the police party and the members of the extremists group but the extremists managed to flee away. It appears that from the place of occurrence arms and ammunitions and other incriminating articles were also recovered and during search operation the petitioner was apprehended on 11.5.2012 and on the basis of the disclosure made by the petitioner three land mines were also recovered.

The earlier bail application of this petitioner was dismissed as withdrawn after some arguments by order dated 5.10.2012 in B.A. No. 6791 of 2012.

Learned counsel for the petitioner has renewed the prayer for bail submitting that the petitioner is in custody for more than 1½ years.

In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Kaleshwar Oraon @ Kamal Oraon, 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 the learned Sessions Judge, Latehar, in connection with, Garu P.S. Case No.11 of 2012, corresponding to G.R No. 278 of 2012, S.T. No. 137 of 2012.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Ramsewak Mahto	 Petitioner
	-Versus-	
The State of Jharkhand	 Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner :	:	M/s. Rajeev R.Tiwary
For the State :	:	M/s. A.P.P.

5/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Barkagaon P.S. Case No.56 of 2013, corresponding to G.R No. 1260 of 2013, for the offence under Sections 341, 323, 307 & 379 of the Indian Penal Code.

From the F.I.R. it appears that there is land dispute between the parties and there is allegation against the petitioner and the other co-accused persons to have assaulted the informant and his family members and injured them.

The impugned order shows that there is case and counter-case between the parties.

In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Ramsewak Mahto, 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 the Sri Shailendra Kumar, learned Judicial Magistrate, 1 st Class, Hazaribag, or his successor, in connection with, Barkagaon P.S. Case No.56 of 2013, corresponding to G.R No. 1260 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Bhola Bhuia @ Bhola Bhuiyan Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner :	: M/s. Sanjay Prasad
For the State :	: M/s. A.P.P.

2/ 16.01.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with, Jharia P.S. Case No.279 of 2013, corresponding to G.R. No. 2779 of 2013, for the offence under Sections 147, 148, 149, 385, 307, 323 read with Sections 3 / 4 of the Explosive Substance Act and Section 27 of the Arms Act.

There is allegation against the petitioner and the other co-accused persons to have demanded levy of Rs. 250/- per truck from the informant. It is alleged that the co-accused persons had also hurled bomb causing injuries to some persons.

Learned counsel for the petitioner has submitted that in the similar circumstance the other named co-accused has been granted bail by order dated 17.12.2013 in B.A. No. 9991 of 2013.

In the facts of this case, I am inclined to release the petitioner on bail. Accordingly, the petitioner, Bhola Bhuia @ Bhola Bhuiyan, 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 the Sri Abhishek Prasad, learned Judicial Magistrate, Dhanbad, or his successor, in connection with, Jharia P.S. Case No.279 of 2013, corresponding to G.R. No. 2779 of 2013.

(H.C.Mishra, J.) D.S.