

Manoj Kumar Vs. the State of Jharkhand

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Court : Jharkhand Ranchi

Decided On : May-16-2011

Judge : Jaya Roy

Acts : Code of Criminal Procedure (CrPC) (Cr.P.C) - Section 438(2)

Appeal No. : A.B. A. No. 4388 of 2010

Appellant : Manoj Kumar

Respondent : The State of Jharkhand

Judgement :

1. 06/16.05.2011 Instead of Mr. Tapas Roy, A.P.P., Mr. Shekhar Sinha, A.P.P. will assist this Court on behalf of the State in this case. Heard the learned counsel for the petitioner and the learned counsel for the State.

2. In the earlier order, the another Bench of this Court has directed the petitioner to seek instruction as to whether the petitioner is ready to deposit the aforesaid amount i.e. Rs. 68,458/- or not.

3. In view of the said order, the petitioner is directed to surrender before the trial court on or by 30th June, 2011 in the court below, if the petitioner surrenders before the court below, the court below is directed to enlarge the petitioner, above named, on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gumla in connection with Gumla P. S. Case No. 201 of 2010 corresponding to G.

R. No. 600 of 2010 subject to the following conditions:-

(1) The petitioner will deposit a sum of Rs. 68,458/- before the concerned authority of JSEB and, thereafter, he will file an affidavit attaching the receipt of the deposit of the said amount. As the learned counsel for the petitioner has submitted that he has already deposited a certain amount, therefore, he will deposit the rest of the amount.

(2) One of the bailers will be her close relative having immovable property within the jurisdiction of the trial court and also the conditions laid down under Section 438 (2) of the Cr.P.C.

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