
Lakhendra Sahu Vs State of Jharkhand

Bail Appeal No. 3099 Of 2020

Court: Jharkhand High Court

Date of Decision: Aug. 5, 2020

Acts Referred:

Indian Penal Code, 1860 " Section 120B, 406, 408, 418, 419, 420, 465, 468, 471

Hon'ble Judges: Deepak Roshan, J

Bench: Single Bench

Advocate: Sunita Kumari, Suraj Verma

Final Decision: Allowed

Judgement

1. Heard learned counsel for the parties through V.C.

2. The instant application has been preferred by the petitioner for grant of regular bail in connection with Gumla P.S. Case No.305 of 2019, registered

under Sections 406, 408, 418, 419, 420, 465, 468, 471, 120B of the IPC, which is pending before the learned Chief Judicial Magistrate, Gumla.

3. Learned counsel for the petitioner submits that pursuant to the order of this Court, the petitioner had already submitted few cheques, but the same

could not be encashed as the account was freeze. She further submits that as per the allegation this petitioner is residing with another co-accused,

namely, Urmila Baraik in live-in relationship and out of the entire scam amount to the tune of Rs.116.52 lacs, an amount of Rs.9.96 lacs was

transferred on 30.04.2019 and Rs.9.96 lacs on 07.05.2019 in the personal account number of this petitioner. She further submits that the petitioner is

not named in the F.I.R rather his name has been surfaced on the confessional statement of co-accused, namely, Urmila Baraik. She further submits

that the petitioner is ready to pay the entire amount of about Rs.29 lacs in the account of District Water and Sanitation Mission payable at Gumla. She

further submits that the moment he will be released from custody, the amount shall be deposited in the said account forthwith and he will never misuse

of privilege of bail and he will abide by the conditions as imposed by this Court or the learned trial court.

5. Learned A.P.P. has informed this Court that the account of the petitioner which was freeze by the State authority has already been unfreeze and

now the petitioner can deposit the entire amount i.e. Rs.29 lacs and 16 thousands.

6. In view of the aforesaid facts and circumstances of the case and the submissions of learned counsel for the parties and after going through the

materials available on record, the petitioner is directed to be released on bail. At present, the petitioner shall be released on furnishing personal bail

bond of Rs.5,000/- (Five Thousand Only), thereafter, he shall deposit the amount of Rs.29.16 Lakh in the account of District Water and Sanitation

Mission, Gumla and shall file an affidavit showing proof of payment before the learned trial court. Further, when the Lockdown period is over, the

petitioner shall furnish bail bond of Rs. 10,000/- (Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief

Judicial Magistrate, Gumla, in connection with Gumla P.S. Case No.305 of 2019, within a period of one month from the date of lifting of Lockdown.

7. It is made clear that this petitioner shall deposit the entire amount of Rs.29.16 lakh within a period of one week from the date of his release from

custody and shall also file an affidavit to that effect within a further period of ten days.

8. Further, the petitioner shall appear on each and every date during trial before the learned trial court whenever the functioning of regular court

begins till then, the petitioner shall register his presence before the concerned police station fortnightly, failing which the learned trial court shall be at

liberty to cancel his bail.

9. With the aforesaid directions, this bail application is allowed and disposed of.