

(2024) 02 JH CK 0043

Jharkhand High Court

Case No: Bail Application No. 10469 Of 2023

Sharda Tiwari @ Megha @ Sharda
Tiwari

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision: Feb. 9, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 34, 201, 302, 379

Hon'ble Judges: Rajesh Kumar, J

Bench: Single Bench

Advocate: Nikhil Ranjan, Sardhu Mahto

Final Decision: Dismissed

Judgement

Rajesh Kumar, J

1. Heard the parties.

2. The applicant, who is in custody since 15.03.2023, has approached this Court for grant of regular bail in connection with S.T. No.309 of 2023 arising out of Parsudih P.S. Case No.30 of 2023 (G.R. No.788 of 2023) for the offence under Sections 379/302/201/34 IPC, pending in the court of Addl. Sessions Judge-IV, Jamshedpur.

3. It has been submitted by the counsel for the applicant(s) that complete set of FIR/ Complaint Case along with its enclosure have been annexed with this bail application and there is no suppression on the part of the applicant(s).

4. Innocence has been claimed and participation in the trial has been assured. It has been submitted that at best it is a case of circumstantial evidence. There is no eye witness to the occurrence. On the above facts, prayer for bail has been made.

5. On the other hand, learned A.P.P. has opposed the prayer for bail and it has been submitted that death has been committed in the house where both were residing. There is enough circumstantial evidence, pointing the guilt towards this applicant and further, it is a case of homicide.

6. Considering the materials available on the record, I am not inclined to enlarge the applicant (s) on bail at this stage. Accordingly, the prayer for bail of the applicant(s) stands rejected.