

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2889 of 2020

1. Bachho Devi
2. Rato Devi
3. Umesh Singh
4. Manju Devi ... Petitioners

- Versus -

The State of Jharkhand Opposite Party

CORAM: - HON'BLE MR. JUSTICE DR. S. N. PATHAK

(Through: Video Conferencing)

For Petitioner : Mr. Prashant Kumar Rahul, Advocate

For Opp. Party : Mr. Vishambher Shastri, APP

02/09.09.2020

In view of COVID-19 pandemic, case has been taken up through Video Conferencing. Concerned lawyers have no objection with regard to the proceeding, which has been held through Video Conferencing today at 10:30 AM onwards. They have no complaint in respect to the audio and video clarity and quality.

The petitioners are apprehending their arrest in connection with Latehar P.S. Case No. 76 of 2020 for the offences registered under Section 7 of the Essential Commodities Act, pending before the Court of learned Chief Judicial Magistrate, Latehar.

Heard Mr. Prashant Kumar Rahul, learned counsel for the petitioner and Mr. Vishambher Shastri, learned APP for the State.

Mr. Prashant Kumar Rahul, learned counsel appearing for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the instant case. The petitioners have not committed any offence as alleged in the First Information Report. He further submits that nothing incriminating material has been recovered from the possession of the petitioners. There is no specific allegations against the petitioners, which suggests the petitioners have committed any offence as alleged. There is no criminal antecedents against the petitioners. He further submits that during the investigation, any beneficiaries or Ration Card Holders have not been examined. The petitioner are not involved in black marketing of food grain and any food grain has not been found from the house of the petitioners. The

petitioners are permanent resident of Latehar District and there is no chance of their absconding or tampering with the evidence. He further submits that petitioners are ready to abide by any terms and conditions imposed upon them by this Hon'ble Court for grant of anticipatory bail. Hence, the petitioners be given the privilege of anticipatory bail.

Learned APP opposes the prayer for grant of anticipatory bail.

Considering the facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners. Hence, in the event of arrest by the police or surrender before learned court below within a period of four weeks' from the date of this order, the petitioners, named above shall be enlarged on bail, on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of like amount each to the satisfaction of officer concerned, in connection with Latehar P.S Case No. 76 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Dr. S. N. Pathak, J.)