

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2892 of 2020

1. Damodar Pd. Rana @ Damodar Rana
2. Gopal Rana ... Petitioners
- Versus -
The State of Jharkhand Opposite Party

CORAM: - HON'BLE MR. JUSTICE DR. S. N. PATHAK
(Through: Video Conferencing)

For Petitioner : Mr. Mohammad Asghar, Advocate
For Opp. Party : Mr. Suraj Verma, 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 G (F) Case No. 415/2016 for the offence registered under Section 33 of the Indian Forest Act, 1927, pending before the Court of learned SDJM at Hazaribag.

Heard Mr. Mohammad Asghar, learned counsel for the petitioner and Mr. Suraj Verma, learned APP for the State.

Mr. Mohammad Asghar, learned counsel appearing for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the instant case. The entire allegations leveled against the petitioners are fictitious, imaginary and concocted. There is no shred of truth therein. The petitioners have never cultivated the forest land. Nothing has been recovered from the possession of the petitioners and there is no any independent witnesses to the case. As per the Indian Forest Act, 1927, Forest Guards have no power of entry, inspection, search and seizure. The petitioner No.1 is a retired Teacher and old aged person and petitioner No.2 is an Agricultural Daily Wages Labourer. The petitioners are resident of Hazaribag and as such, there is no chance either of absconding or tampering with the evidence, if they are enlarge on anticipatory bail. He further submits that petitioners are ready to abide by any terms and conditions imposed 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 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 G (F) Case No.415 of 2016, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

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