

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2927 of 2020

1. Rafiq Khan, son of Shadik Khan

2. Sameer Khan, son of Aslam Khan

... .. Petitioners

- V e r s u s -

The State of Jharkhand

... .. Opposite Party

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

For the Petitioners : Mr. Rajesh Kumar, Advocate.

For the State : Mr. Vineet Kumar Vashistha, APP

02/09.09.2020

In view of outbreak 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 A.M. onwards. They have no complaint in respect to the audio and video clarity and quality.

Instant petition has been filed for grant of anticipatory bail to the petitioners who apprehend their arrest in connection with Peterwar (Petarwar) P.S. Case No. 104 of 2019, corresponding to G.R. No. 1080/2019, for the offence under Sections 379, 414, 120-B of the Indian Penal Code, pending in the Court of S.D.J.M., Bermo at Tenughat.

Mr. Rajesh Kumar, learned counsel appearing for the petitioners submits that petitioner no. 1 is driver and petitioner no. 2 is owner of the vehicle (truck) in question. Petitioners have no concern with the seized coal or the co-accused persons. Merely because truck in question was parked near the place of offence, they have been dragged in the present case. One of the co-accused Mukund Lal Mahto @ Mukund Mahto has already been granted anticipatory bail vide order dated 31.01.2020 in A.B.A. No. 481 of 2019.

Mr. Vineet Kumar Vashistha, learned APP vehemently opposes prayer for grant of anticipatory bail to the petitioners.

Having heard counsel for the parties and considering facts and circumstance of the case, petitioners named above are directed to surrender before the Court below within a period of four weeks from today and in the event of their arrest and/or surrender, they are directed to be enlarged on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each, with two sureties of the like amount each, to the satisfaction of S.D.J.M., Bermo at Tenughat, in connection with Peterwar (Petarwar) P.S. Case No. 104 of 2019, corresponding to G.R. No. 1080/2019, subject to fulfillment of conditions as laid down under Section 438 (2) Cr.P.C.

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