

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2939 of 2020

Murti Devi

...Petitioner

-V e r s u s-

The State of Jharkhand

... Opp. Party

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner :- Mr. Sabyasanchi, Advocate

For the State :- Mr. Prabir Chatterjee, Spl. P.P.

02/09.09.2020

The present case is taken up through video conferencing.

At the request of the learned counsel for the petitioner, the defects, as pointed out by the office, are ignored.

Heard learned counsel for the parties.

The petitioner apprehending her arrest in connection with Manjhion P.S. Case No. 34 of 2020 registered under Sections 379/411/34/504/506/188/323/201 of the Indian Penal Code, Section 54(1) of the JMMCA Rules, 2017 and Section 21 of M.M.(D.R.) Act, 1957 has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The petitioner is the owner of the tractor in question which was seized by the police. The petitioner is not at all involved in illegal mining of sand as has been alleged in the F.I.R. On perusal of the seizure list, it would be evident that no sand was found loaded on the concerned tractor. The petitioner is a lady aged about 63 years and has no criminal antecedent. Hence, she may be given the privilege of anticipatory bail.

Learned A.P.P. opposes the petitioner's prayer for anticipatory bail.

Considering the aforesaid facts and circumstance, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner, above named, is directed to surrender before the concerned court below within four weeks from today. In the event of her arrest/surrender before the concerned court below within the aforesaid period, she shall be released on bail on furnishing bail bond of Rs.20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-1st Class, Garhwa in connection with Manjhion P.S. Case No. 34 of 2020, subject to the conditions as laid down under Section 438(2) of Cr.P.C.