

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2944 of 2020

Ashik Ali @ Badho Miyan ...Petitioner

-V e r s u s-

The State of Jharkhand ... Opp. Party

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner :- Mr. Ashok Kumar, Advocate

For the State :- Mr. Ravi Prakash, 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 defect, as pointed out by the office, is ignored.

Heard learned counsel for the parties.

The petitioner apprehending his arrest in connection with Piparwar P.S. Case No. 36 of 2019 registered under Sections 385/386/387/120(B) of the Indian Penal Code, Sections 17(1) (2) of C.L.A. Act and Sections 16/17/20/23 of U.A.P. Act, 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. It has been alleged that levy was being collected from the D.O. holders and coal traders by the members of an extremist organization. The name of the petitioner surfaced in the alleged confessional statements of co-accused namely Bigan Bhokta and Dhanraj Bhokta. Several co-accused persons namely Bablu Kumar Munda, Taneshwar Oraon @ Taleshwar Oraon, Sukhi Ganjhu, Vikash Kumar Munda @ Vikash Munda, Dhaneshwar Ganjhu, Deonarayan Ganjhu, Tribhuwan Singh @ T.N. Singh @ T.Singh, Gabbar Mahto @ Pritam Mahto, Sewa Singh @ Seva Singh, Nagendra Pandey @ Nagendra Kumar Pandey, Devalal Ganjhu, Mohan Ganjhu and Prem Sagar Munda have already been granted anticipatory bail by different Benches of this Court. The petitioner is an old person aged about 78 years and as such, he 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 his arrest/surrender before the concerned court below within the aforesaid period, he 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 Sub-Divisional Judicial Magistrate, Chatra in connection with Piparwar P.S. Case No. 36 of 2019 with the condition that the petitioner will cooperate in the investigation of the case and will appear before the Investigating Officer as and when noticed by him. The petitioner will also furnish his mobile number and photocopy of Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case and subject to further conditions as laid down under Section 438(2) of Cr.P.C.

(Rajesh Shankar, J.)