

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2946 of 2020

1. Surendra @ Suresh Yadav
2. Dharmendra Yadav
3. Sikander Yadav
4. Baijnath Yadav @ Baijnath Mahto

...Petitioners

-V e r s u s-

The State of Jharkhand

... Opp. Party

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioners :- Mr. Lalit Yadav, Advocate
For the State :- Ms. Nikki Sinha, 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 petitioners, the defects, as pointed out by the office, are ignored.

Heard learned counsel for the parties.

The petitioners apprehending their arrest in connection with Jasidih P.S. Case No. 419 of 2017 corresponding to G.R. No. 1946 of 2017 registered under Sections 147/149/341/323/504/447/448/380/307/337 of the Indian Penal Code, have prayed for grant of anticipatory bail.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and have not committed any offence as alleged in the F.I.R. There is a case and counter case between the parties. The entire allegation levelled against the accused persons including the petitioners in the written report of the informant is concocted and they have been implicated in this case due to previous enmity. Hence, the petitioners may be given the privilege of anticipatory bail.

Learned A.P.P. while opposing the petitioners' prayer for anticipatory bail submits that so far as the petitioner no. 3-Sikander Yadav is concerned, there is direct allegation against him that he gave iron rod blow on the head of the informant. As per memo of evidence received from the Investigating Officer, the injury inflicted upon the informant is grievous in nature.

Having heard the learned counsel for the parties and keeping in view that there is direct allegation of assault against the petitioner

no.3 – Sikander Yadav, I am not inclined to grant him the privilege of anticipatory bail. Hence, his prayer for grant of anticipatory bail is hereby rejected.

So far as the petitioner no.1- Surendra @ Suresh Yadav, petitioner no. 2- Dharmendra Yadav and the petitioner no. 4- Baijnath Yadav @ Baijnath Mahto are concerned, I am inclined to enlarge them on anticipatory bail. Accordingly, they are directed to surrender before the concerned court below within four weeks from today. In the event of their arrest/surrender before the concerned court below within the aforesaid period, they shall be released on bail on furnishing bail bond of Rs.20,000/- (twenty thousand only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Deoghar in connection with Jasidih P.S. Case No. 419 of 2017 corresponding to G.R. No. 1946 of 2017, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Rajesh Shankar, J.)