

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A. B. A. No. 2973 of 2020

Sher Mohammad Khan

..... Petitioner

Versus

The State of Jharkhand

..... Opposite Party

CORAM

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner:

Mr. P. K. Prasad

For the State:

Mr. Prabir Chatterjee, Spl. P. P

02/09.09.2020 At the request of learned counsel for the petitioner, the defects pointed out by the office are ignored.

Heard learned counsel for the parties.

The petitioner apprehending his arrest in connection with the case registered under Section 33 of the Indian Forest Act and Sections 4/5/8/9 of the Jharkhand Kendu Leaves (control of trade) Act, 1973 has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and has not committed any offence as alleged in the F.I.R. Even on perusal of the prosecution report, it would be evident that 146 sacks of Kendu leaves were recovered from behind the house of the petitioner. Thus, it cannot be said that the said recovery has been made from the house premises of the petitioner much less from his conscious possession. Hence, the petitioner may be given the privilege of anticipatory bail.

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

Considering the aforesaid facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the above named petitioner is directed to surrender before the concerned Court below within a period of four weeks. If he surrenders before the 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 Judicial Magistrate, 1st Class, Hazaribagh in connection with G (F) Case No. 271/2017 with the conditions that the petitioner will co-operate 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) Cr.P.C.

Satish/-

(RAJESH SHANKAR, J)