

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3580 of 2020**

Khiroddhar Bhagat @ Khiroddhar Paswan ... Petitioner
Versus
The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. A.K. Chaturvedy, Advocate
For the State : Mr. Ajit Kumar, Addl. P.P.

Order No.02 Dated- 14.09.2020

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Bishnugarh P.S. Case No.123 of 2019 registered under sections 420/467/468/471/120B/323/504/34 of the Indian Penal Code.

Heard the learned counsel for the petitioner and learned Addl. P.P. for the State.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the informant and his brother purchased six decimals of land from the petitioner vide registered sale deed dated 11.06.1990 and thereafter, the informant got his house constructed but later on the informant came to know that the petitioner is not the owner of the land sold to him rather *Zamabandi* of the said land sold to the informant is in the name of one Tanus Dusadh. It is further submitted that the allegation against the petitioner are all false and in sale deed of Khata no.33, the name of the father of the petitioner is appearing as Prabhu Dusadh and the petitioner is the co-sharer of half of the land.

Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

The learned counsel for the petitioner seeks permission of this Court to implead informant as opposite party no.2 of this anticipatory bail application.

The petitioner is directed to incorporate the name of informant as opposite party no.2 of this anticipatory bail application, within a week after the lockdown period is over.

Let notice be issued to the newly impleaded opposite party no.2 under registered cover with A/D as well as under ordinary process for which requisites etc. must be filed within two weeks by the petitioner, failing which, this application shall stand dismissed without further reference to the Bench.

The learned Addl. P.P. opposes the prayer for anticipatory bail.

List this case on 04.11.2020.

Considering the submissions of the counsels and the fact as discussed above, I am inclined to pass an interim order of anticipatory bail *provisionally* till 04.11.2020. In case of the petitioner being arrested by the police on or before 04.11.2020, he shall be released on bail provisionally on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five thousand) with two sureties of like amount each to the satisfaction of the officer concerned in connection with Bishnugarh P.S. Case No.123 of 2019 subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)