

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No.3626 of 2020**

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Pradeep Mahto @ Pradeep Giri @ Pramod Kumar

....    ....    ....    Petitioner

Versus

The State of Jharkhand

....    ....    ...Opposite Party

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**CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioner : Mr. Rajesh Kumar, Advocate

For the State : Mr. Md. Hatim, A.P.P

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**Order No.02 Dated- 14.09.2020**

Heard the parties through video conferencing.

Apprehending his arrest in connection with Bermo P.S. Case No.54 of 2020 corresponding to G.R. No.314 of 2020 instituted under Sections 147, 148, 149, 323, 307, 427, 379 of the Indian Penal Code, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Mr. Rajesh Kumar- learned counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

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

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner along with thirteen named accused persons and 8-10 unknown persons assaulted the informant and looted Rs.5,00,000/- from the cash counter of the informant and also the gold-chain of the informant. It is submitted that the allegation against the petitioner is false and there is no specific allegation against the petitioner. It is also submitted that no such offence as alleged has taken place and the injuries sustained by the informant are simple in nature. It is further submitted that the petitioner has been falsely implicated in this case due to the protest by him against the havoc created by the informant in the locality by sale of illicit liquor. It is next submitted that the

petitioner undertakes that he will neither disturb nor annoy the informant nor will he go to or near the shop of the informant during the pendency of the case. It is lastly submitted that the petitioner is ready and willing to cooperate with the investigation of the case and undertakes to pay ad interim victim compensation of Rs.1,00,000/- without prejudice to his defence in this case in favour of the informant of this case subject to final decision of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned A.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court of learned S.D.J.M., Bermo at Tenughat within four months from today and in the event of his arrest or surrendering, the petitioner will be enlarged on bail on depositing a demand draft of Rs.1,00,000/- as ad interim victim compensation without prejudice to his defence in this case drawn in favour of the informant of this case and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M., Bermo at Tenughat in connection with Bermo P.S. Case No.54 of 2020 corresponding to G.R. No.314 of 2020 **with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case and he will neither disturb nor annoy the informant nor will he go to or near the shop of the informant during the pendency of the case** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioner deposits the said demand draft, the court below is directed to issue notice to the informant of this case and on his proper identification, the court below shall handover the same to him forthwith.

In case the petitioner pays Rs.1,00,000/- to the informant of this case, learned court below will pass an appropriate order regarding the same at the time of conclusion of trial.

**(Anil Kumar Choudhary, J.)**

Animesh/