

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3037 of 2020

1. Arun Munda		
2. Shekhar Mandal @ Tony Mandal		
3. Jharna Prasad	...	Petitioners
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. Ashish Kumar, Advocate
For the State	:	Mr. Suraj Verma, Spl. P.P.

Order No.02 Dated- 09.09.2020

Heard the parties through video conferencing.

Learned counsel for the petitioners personally undertake 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 petitioners, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Complain Case No.791 of 2020 registered under sections 41/42 of the Indian Forest Act.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners were committing theft of fire woods which was seized by the forest official. It is further submitted that the allegation against the petitioners are all false and the seized fire woods are the waste woods of the village area and does not belong to the forest area. It is next submitted that the petitioners have no criminal antecedent as has been mentioned in paragraph no. 19 of the anticipatory bail application. It is then submitted that the petitioners are ready and willing jointly deposit Rs.70,000/- with D.F.O., Jamshedpur Division (Territory) without prejudice to their defence in this case and undertake that they will not enter into any forest area during

the pendency of the case. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of six weeks from the date of this order, they shall be released on bail on jointly showing the proof of deposit of Rs.70,000/- with D.F.O., Jamshedpur Division (Territory) and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M., Jamshedpur, in connection with Complain Case No.791 of 2020 with the condition that they will not enter into any forest area during the pendency of the case and subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-