

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3054 of 2020

1. Binod Saw 2. Krishna Singh 3. Balkrishna Agrawal 4. Tuntun Singh @ Ayush Singh	...	Petitioners
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. Prabhat Kr. Sinha, Advocate
For the State	:	Mr. Suraj Verma, Spl. P.P.

Order No.02 Dated- 09.09.2020

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Patratu (Barkakana) P.S. Case No.36 of 2020 registered under sections 379 of the Indian Penal Code, under section 21 of M.M.D.R. Act and under section 54 of J.M.M. (Concession) Rules, 2004.

Heard the learned counsel for the petitioners and learned Spl. P.P. for the State through video conferencing.

The 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.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners were running crusher without licence and huge quantity of boulders and stone chips were recovered from the crusher run by the petitioners. It is further submitted that the allegation against the petitioners are false. Some persons inimical to the petitioners have given their name deliberately to harass them and the petitioners have no connection with the alleged crusher or storage of stones. It

is then submitted that the petitioner no.3 is an old man of 70 years of age and is suffering from several ailments. It is next submitted that the petitioners have no criminal antecedent as has been mentioned in paragraph no.11 of the anticipatory bail application. It is lastly submitted that the petitioners are ready and willing to furnish sufficient security including cash security and undertake to cooperate with the investigation of the case. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Spl. 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 eight weeks from the date of this order, they shall be released on bail on the petitioner no.1 depositing cash security of Rs.20,000/-, petitioner no.2 depositing cash security of Rs.10,000/-, petitioner no.3 depositing cash security of Rs.25,000/- and petitioner no.4 depositing cash security of Rs.12,000/- 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 Chief Judicial Magistrate, Ramgarh, in connection with Patratu (Barkakana) P.S. Case No.36 of 2020 with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile numbers and a copy of their Aadhar Cards in the court below with the undertaking that they will not change their mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)