

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Criminal Miscellaneous Jurisdiction)
A.B.A. No. 3079 of 2020

Raju Kumar Petitioner
Versus
The State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO
(Through : Video Conferencing)

For the Petitioner : Mr. Shailesh Kumar Pandey, Advocate.
For the State : Mrs. Nehala Sharmin, A.P.P.

02/Dated: 09/09/2020

Heard, learned counsel for the petitioner, Mr. Shailesh Kumar Pandey.

Learned counsel for the petitioner has submitted that defect nos. 9 (i) to (v), as per Stamp Reporting dated 06.07.2020, have not been removed, which he undertakes to remove within 30 days after the physical court starts and prayed for hearing of the anticipatory bail application, as petitioner is apprehending his arrest during pandemic of Covid-19.

Considering the same, this Court is inclined to hear the instant anticipatory bail application on merits, but with condition that petitioner shall remove the defect(s) within 30 days after the physical court starts.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the physical court starts so as to remove the defect(s).

Learned counsel for the petitioner has submitted that the petitioner is apprehending his arrest in connection with Hunterganj P.S. Case No. 92/2020 for the offence registered under Sections 272, 273, 284, 414, 34 I.P.C. and Section 47 (A) of Excise Act.

Learned counsel for the petitioner has submitted that petitioner, Raju Kumar is the owner of motorcycle bearing registration No. JH-13D-4913, but he was not driving that motorcycle, rather he has given motorcycle to his friend and petitioner has no knowledge that his friend was carrying illegal article in the vehicle, which was subsequently seized by the police with 40 bottles of Royal Stag each of 180 ml, 15 bottles of Mc

Dowell's of 375 ml each, 10 bottles Royal Stag of 750 ml each and 20 cane of Kingfisher Cane beer.

Learned counsel for the petitioner has submitted that petitioner has no criminal antecedent, as such, petitioner may be enlarged on bail.

Learned counsel for the State, Mrs. Nehala Sharmin, Additional Public Prosecutor has opposed the prayer of bail and has submitted that police after recovery of such huge liquor has instituted Hunterganj P.S. Case No.92/2020 under Sections 272, 273, 284, 414, 34 I.P.C. and Section 47 (A) of Excise Act. The petitioner absconded after seeing the police leaving behind the motorcycle, as petitioner has not disclosed the name of the friend to whom he has given motorcycle, as such, petitioner does not deserve to be enlarged on anticipatory bail and his prayer for bail may be rejected.

Considering the rival submissions of the parties, it appears that petitioner has even not disclosed the name of the friend, this Court is not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Kailash Prasad Deo, J.)

Sunil-Jay/