

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Criminal Miscellaneous Jurisdiction)
A.B.A. No. 3080 of 2020

1. Md. Azad Ansari
2. Md. Shahbaz Ansari
3. Md. Sohail Ansari
4. Md. Shahid Raja @ Raja Petitioners

Versus

1. The State of Jharkhand
2. Amrita Sarkar Opp. Parties

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

For the Petitioners : Mr. Ranjan Kumar, Advocate.
For the State : Mr. Sudhir Kumar Mahto, A.P.P.

02/Dated: 09/09/2020

Heard, learned counsel for the petitioners, Mr. Ranjan Kumar.

Learned counsel for the petitioners has submitted that defect nos. 9 (i) to (iii), 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 petitioners are apprehending their 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 petitioners 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 petitioners has submitted that the petitioners are apprehending their arrest in connection with Jorapokhar P.S. Case No. 79/2020 for the offence registered under Sections 341, 448, 323, 325, 326, 307 and 34 I.P.C.

Learned counsel for the petitioners has submitted that petitioners have no criminal antecedent and on a trivial issue, the F.I.R. has been wrongly filed, though the injury of husband and son of the informant are simple in nature, as such, petitioners may be enlarged on anticipatory bail.

Learned counsel for the State, Sudhir Kumar Mahto, Additional Public Prosecutor has opposed the prayer of bail and has submitted that there is direct allegation against these petitioners that armed with Hockey stick they have assaulted the husband and son of the informant, as such, petitioners may not be enlarged on bail.

Considering the rival submissions of the parties, State counsel is granted four weeks' time to file detail counter affidavit with specific allegation against all the accused persons, the injury report of the husband and son of the informant as well as criminal antecedent report of the petitioners.

Put up this case after four weeks.

In the meantime, no coercive steps shall be taken against the petitioners / not to arrest the petitioners in connection with Jorapokhar P.S. Case No. 79/2020, pending in the court of Judicial Magistrate, 1st Class, Dhanbad.

(Kailash Prasad Deo, J.)

Sunil-Jay/