

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3253 of 2020

1. Bhola Gosai			
2. Vikash Singh	...		Petitioners
Versus			
The State of Jharkhand	...		Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	:	Mr. Md. N. Ansari, Advocate
For the State	:	Mr. Suraj Verma, Spl. P.P.

Order No.02 Dated- 10.09.2020

Heard the parties through video conferencing.

Learned counsel for the petitioners personally undertakes 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 Doranda P.S. Case No.01 of 2020 registered under sections 419/420/467/468/471/120B of the Indian Penal Code.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that petitioners by making forged genealogical table sold the entire share of land of the informant by executing sale deed without her consent or knowledge and the genealogical table was prepared by deleting the name of the ancestor of the informant namely Bandhan Gosai. It is further submitted that the allegation against the petitioners are all false and the petitioners are only the witnesses of the sale deeds. It is then submitted that the petitioners are ready and willing 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. on the other hand vehemently opposes the prayer for grant of anticipatory bail of the petitioner no.1 and

submits that he is a habitual offender and is involved in 11 cases hence his custodial interrogation is required during the investigation of the case. It is therefore submitted that, the petitioner no.1 ought not to be given the privilege of anticipatory bail.

Considering the serious nature of allegation against the petitioner no.1 namely Bhola Gosai as well as the requirement of his custodial interrogation during the investigation of the case, this Court is of the considered view that this is not a fit case where the petitioner no.1 be given the privilege of anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected.

So far as the petitioner no.2 -Vikash Singh is concerned it appears that he is only a witness of the sale deed, hence I am of the opinion that it is a fit case where the above named petitioner no.2 be given the privilege of anticipatory bail. Therefore, in the event of his arrest or surrender within a period of four weeks from the date of this order, he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M., Ranchi, in connection with Doranda P.S. Case No.01 of 2020 with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his 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.)

Gunjan-