

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6401 of 2021

1. Sumit Shukla @ Sumit Kumar Shukla
2. Manish Shukla @ Manish Kumar Shukla
..... Petitioners
Versus
The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Sheo Kr. Singh, Advocate
For the State : Mr. Rajesh Kumar, Addl.P.P

Order No.02 Dated- 08.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioners undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioners, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending their arrest in connection with Pandwa P.S. Case No. 12 of 2021 instituted under Sections 341, 323, 379, 34 of the Indian Penal Code and section 27 of Arms Act, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioners is that consequent upon the altercation with the informant, upon a 407 vehicle causing road blockage, the petitioner committed theft of Rs.1,000/-, snatched away the chain and made firing in the air and fled away from the place of the occurrence in his Alto Vehicle. It is submitted that the allegation against the petitioners is false. It is next submitted that the witness-Amresh Kumar Singh and Vikendra Thakur whose statement recorded under Section 161 Cr.P.C. before the police in para nos.6 and 7 of the case diary have stated that they have not heard about the Rs.1,000/- and necklace chain being snatched by the petitioners. It is next submitted that the petitioner no.1 is constable in Assam Rifle and the petitioner no.2 is student of B.A. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court within six weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned JMFC, Palamau in connection with Pandwa P.S. Case No. 12 of 2021 **with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)

Pappu/