

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6448 of 2021

1. Kaila Mahto
2. Choudhary Mahto Petitioners

Versus

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Anil Kr. Sinha, Advocate
For the State : Mrs. Lily Sahay, Addl.P.P

Order No.02 Dated- 07.09.2021

Heard the parties through video conferencing.

Apprehending their arrest in connection with Barkatha P.S. Case No. 6 of 2021 instituted under Sections 147, 148, 149, 323, 341, 307, 379 of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners being member of unlawful assembly, being armed with deadly weapon and in prosecution of the common object of the assembly attempted to murder Jhabu Prasad, Kisun Mahto and Tara Devi and committed theft of a gold chain. It is submitted that the allegation against the petitioners is false. It is further submitted that the petitioners undertake that they will not annoy or disturb the informant or any of his family members in any manner during the pendency of the case. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case and undertakes to jointly pay ad interim victim compensation of Rs.40,000/- without prejudice to their defence in this case to the informant. 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, the petitioner will be enlarged on bail on jointly depositing a demand draft of Rs.40,000/- as ad interim victim compensation without

prejudice to their defence in this case drawn in favour of the informant and 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 J.M.1st Class, Hazaribag in connection with Barkatha P.S. Case No. 6 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** with condition that they will not annoy or disturb the informant or any of his family members in any manner during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioners deposit the said demand draft, the court below is directed to issue notice to the informant and on his proper identification, the court below shall handover the same to him forthwith.

(Anil Kumar Choudhary, J.)

Pappu/