

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6499 of 2021

1. Faruk Ansari		
2. Mojahid Ansari @ Mozahid Ansari		
3. Babuddin Mian @ Babuddin Ansari @ Babuddind Ansari		
4. Md. Mannawar Ansari @ Chhota Mannawar Ansari		
5. Shahrukh Ansari		
6. Md. Mubarak Ansari		
7. Kalamuddin Ansari	...	Petitioners
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. Pran Pranay, Advocate
For the State	:	Mr. Sanjay Kr. Srivastava, Addl. P.P.

Order No.02 Dated- 09.09.2021

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 Devipur P.S. Case No.86 of 2021 registered under sections 147/148/149/452/354B/307/325/323/504/506 of the Indian Penal Code.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners were the members of an unlawful assembly and in prosecution of common object of the assembly attempted to murder the informant and his family members by assaulting them and also outraged the modesty of the daughter-in-law of the informant. It is further submitted that the allegations against the petitioners are all false. It is then submitted that for the selfsame occurrence from the side of the petitioners, Devipur P.S. Case No. 87 of 2021 has been instituted against the informant and others. It is next submitted that the petitioners are ready and willing to

jointly pay Rs.30,000/- as ad interim victim compensation to the informant without prejudice to their defence in this case and undertake to cooperate with the investigation of the case and also undertake that they will not annoy or disturb the informant or his family members in any manner during the pendency of the case. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of six weeks from the date of this order, they shall be released on bail on jointly depositing a demand draft of Rs.30,000/- as ad interim victim compensation drawn in favour of informant without prejudice to their defence in this case and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Deoghar, in connection with Devipur P.S. Case No.86 of 2021 with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile number and a copy of their Aadhar Card in the court below with the undertaking that they will not change their mobile number during the pendency of the case with further condition that they will not annoy or disturb the informant or his family members in any manner during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioners deposit the ad interim victim compensation amount, the court below is directed to issue notice to the informant and hand over the said demand draft to him, after proper identification.

(Anil Kumar Choudhary, J.)