

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 6070 of 2021

1. Chanchalaa Devi
2. Mukesh Kumar Soni @ Mukesh Soni
... Petitioners

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Deepak Kumar ,Adv.
For the State : Mr. Ravi Prakash, Spl. P.P.

02 / 03.09.2021

Heard the parties through Video Conferencing.

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

In view of the personal undertaking given by 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 Jainagar P.S. Case No. 42 of 2021 registered under Sections 406, 420, 467, 468, 471, 427, 504, 506, 120B of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners have prepared a forged document of sale deed was purportedly executed in favour of petitioner no. 1 from a person who is not the title holder of the land in question and the title and possession the said land is claimed by the informant and the petitioner no. 2 is the son of petitioner no. 1. It is further alleged that the petitioners trespassed to the said land after breaking the boundary wall. It is then submitted that the allegations against the petitioner are all false and those allegations are general and omnibus in nature. It is

further submitted by learned counsel for the petitioners that the dispute between the parties is at best a civil dispute. It is next submitted that the petitioners are ready to co-operate with the investigation of the case and they also undertake not to enter into the place of occurrence land bearing *khata* no. 844, plot no. 2252, areas 5 decimals as described in details in the schedule of the sale deed bearing registration no. 835 dt. 21.02.2018 of the office of Sub Registrar, Koderma in any manner during pendency of the case hence, the petitioner be given the privilege of anticipatory bail.

The learned Spl. PP opposes the prayer for anticipatory bail of the petitioner.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners. Hence, in the event of arrest by the police or surrender within a period of six weeks from the date of this order, the petitioners shall be released on bail 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 SDJM, Koderma in connection with Jainagar P.S. Case No. 42 of 2021 subject to the condition that the petitioners will not to enter into the place of occurrence land bearing *khata* no. 844, plot no. 2252, areas 5 decimals as described in details in the schedule of the sale deed bearing registration no. 835 dt. 21.02.2018 of the office of Sub Registrar, Koderma in any manner during pendency of the case and they will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of *Aadhaar* card at the time of surrender in the court below with an undertaking not to change mobile number during the pendency of the case along with the other conditions laid down under section 438 (2) Cr. P.C.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-