

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6102 of 2021

Sawaid Khan @ Aman Safedi Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Rohit Agarwal, Advocate
For the State : Mrs. Shweta Singh, Addl.P.P

Order No.02 Dated- 03.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioner 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 petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest in connection with Golmuri P.S. Case No. 80 of 2018 [G.R. No.1866 of 2018(s)] instituted under Sections 147, 149, 323, 325, 337, 307, 353, 333 of the Indian Penal Code, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner was the member of an unlawful assembly and in prosecution of the common object of the assembly, attempted to murder Ramji Mahato the Officer-in-Charge, Golmuri Police Station, the informant-Ram Vijay Singh, constable No.-822 Dilip Kumar, constable No.-2710 Ashirvad Mahto and constable No.-2589 Sumit Kumar Mahta. It is submitted that the allegation against the petitioner is false and general and omnibus in nature. It is next submitted that the co-accused person with similar allegation has been given the privilege of anticipatory bail by this Court vide order dated 23.03.2021 passed in A.B.A. No.992 of 2021. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and undertakes to pay ad interim victim compensation of Rs.90,000/- i.e., in the shape of five demand drafts out of which one of Rs.50,000/- drawn in favour of Ramji Mahato, Officer-in-Charge, Golmuri Police Station and four demand drafts of Rs.10,000/- each drawn in favour of the informant-Ram Vijay Singh, constable No.-822 Dilip Kumar, constable No.-2710 Ashirvad Mahato and constable No.-2589 Sumit Kumar Mahta without prejudice to his defence in this

case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

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

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court of learned J.M. 1st Class, at Jamshedpur within four months from today and in the event of his arrest or surrendering, the petitioner will be enlarged on bail on depositing demand drafts of Rs.90,000/- i.e., in the shape of five demand drafts out of which one of Rs.50,000/- drawn in favour of Ramji Mahato, Officer-in-Charge, Golmuri Police Station and four demand drafts of Rs.10,000/- each drawn in favour of the informant-Ram Vijay Singh, constable No.-822 Dilip Kumar, constable No.-2710 Ashirvad Mahato and constable No.-2589 Sumit Kumar Mahta without prejudice to his defence in this case and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount to the satisfaction of learned J.M. 1st Class, at Jamshedpur in connection with Golmuri P.S. Case No. 80 of 2018 [G.R. No.1866 of 2018(s)] with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile numbers and photocopy of the Aadhar Card with an undertaking that he will not change his mobile numbers 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 petitioner deposits the said demand drafts, the court below is directed to issue notice to the Ramji Mahato, Officer-in-Charge, Golmuri Police Station, the informant-Ram Vijay Singh, constable No.-822 Dilip Kumar, constable No.-2710 Ashirvad Mahato and constable No.-2589 Sumit Kumar Mahtak and on their proper identification, the court below shall handover the same to them forthwith.

(Anil Kumar Choudhary, J.)