

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No.6123 of 2021**

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1. Sanjay Mahto @ Sanjay Kumar  
2. Bijay Mahto @ Bijay Kumar  
3. Naresh Mahto  
4. Umesh Mahto @ Umesh Prasad Mahto  
5. Kedar Prasad Mahto                    ....    ....    ....    Petitioners

Versus

The State of Jharkhand                    ....    ....    ....    Opposite Party

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**CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioners            : Mr. S. K. Murtty, Advocate  
For the State                    : Mr. Subodh Kr. Dubey, Addl.P.P

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**Order No.02 Dated- 03.09.2021**

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 Nimiyaghat P.S. Case No.140 of 2020 corresponding to G.R. No.190 of 2021 instituted under Sections 147, 148, 149, 458, 341, 323, 324, 325, 307, 354 B, 379, 504, 506, 427 of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

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 the common object of the assembly being armed with deadly weapons, they attempted to murder the son of the informant- Rajesh Mahto by pressing his neck and when the informant went to save her son, the petitioners brutally assaulted her and outraged her modesty. It is submitted that the allegation against the petitioners is false. It is next submitted that the petitioners undertake that they will not disturb or annoy the informant 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 to jointly pay ad interim victim compensation of Rs.20,000/- without

prejudice to their defence in this case in favour of 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 of learned J.M.- 1<sup>st</sup> Class, Giridih within six weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on jointly depositing a demand draft of Rs.20,000/- 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.- 1<sup>st</sup> Class, Giridih in connection with Nimiyaghat P.S. Case No.140 of 2020 corresponding to G.R. No.190 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 they will not disturb or annoy the informant 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 of this case and on her proper identification, the court below shall handover the same to her forthwith.

**(Anil Kumar Choudhary, J.)**