

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6154 of 2021

Amarjit Prasad	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Arun Kr. Pandey, Advocate
For the State	: Mr. Rajesh Kumar, Addl. P.P.

Order No.02 Dated- 06.09.2021

Heard the parties through video conferencing.

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

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Sundarnagar P.S. Case No.19 of 2021 registered under sections 188/353 of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner encroached upon a public land and when the said encroachment was removed, again the petitioner encroached upon the said public land and thereafter, as the administrative officers went to remove the encroachment, the co-accused persons at the instance of the petitioner used criminal force against the informant-In-charge Circle Officer, Jamshedpur deterring him from discharging his duty. It is further submitted that the allegations against the petitioner are all false. It is then submitted that the petitioner is ready and willing to furnish sufficient security including cash security and undertakes to cooperate with the investigation of the case and also undertakes that he will produce a certificate from the informant that he has vacated the encroached land and also he will

not encroach any land including the place of occurrence land during the pendency of the case. It is lastly submitted that the co-accused person has already been given the privilege of anticipatory bail by this Court vide order dated 02.08.2021 in A.B.A. No.4923 of 2021. Hence, it is submitted that the petitioner 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 petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on depositing cash security of Rs.10,000/- and producing a certificate from the informant that he has vacated the encroached land and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Jamshedpur, in connection with Sundarnagar P.S. Case No.19 of 2021 with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case with further condition that he will not encroach any land including the place of occurrence land subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)