

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6166 of 2021

1. Sitaram Yadav
2. Rakesh Kumar
3. Pancham Kumar @ Pancham Yadav
4. Mahendra Kumar Yadav @ Mahendra Yadav
... Petitioners

Versus

The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mrs. Jasvindar Mazumdar, Advocate
For the State : Mr. P.D. Agarwal, Spl. P.P.
For the Informant : Mr. M.B. Lal, Advocate

Order No.02 Dated- 06.09.2021

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 Saraidhela P.S. Case No.66 of 2021 registered under sections 341/323/325/354/307/504/379/506/34 of the Indian Penal Code.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners attempted to murder the informant causing grievous injuries on his head and also assaulted the daughter of the informant and outraged her modesty and snatched away the chain of the informant. It is further submitted that the allegations against the petitioners are all false and admittedly, the wife of the informant has entered into an agreement for purchasing a land with the petitioner no.1 but the petitioner no.1 denied to execute the sale deed and as the wife of the informant lodged a case hence, they made this murderous assault. It is then submitted that the petitioners are ready and willing to jointly pay Rs.

1,00,000/- 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 any of 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 Spl. P.P. and the learned counsel for the informant 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 four months from the date of this order, they shall be released on bail on jointly depositing a demand draft of Rs. 1,00,000/- 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., Dhanbad, in connection with Saraidhela P.S. Case No.66 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 numbers and a copy of their Aadhar Cards in the court below with the undertaking that they will not change their mobile numbers during the pendency of the case with further condition that they will not annoy or disturb the informant or any of 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.)