

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6180 of 2021

Manthan Kumar Pandey @ Manthan Pandey

.... Petitioner

Versus

The State of Jharkhand

.... Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Nandan Prasad, Advocate

For the State : Ms. Priya Shrestha, Spl.P.P

Order No.02 Dated- 06.09.2021

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 Balidih P.S. Case No.158 of 2019 instituted under Sections 341, 323, 324, 326, 34 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, in furtherance of the common intention, with the co-accused persons, has caused grievous hurt to the informant-victim causing grievous injury to him with dangerous weapon and cut and severed one of his fingers. It is submitted that the allegation against the petitioner is false. It is next submitted that the main allegation of assault is against the co-accused Shiv Kumar Tiwari. It is also submitted that the petitioner undertakes that he will not disturb or annoy the informant in any manner during the pendency of the case. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and to pay ad interim victim compensation of Rs.1,00,000/- without prejudice to his defence in this case in favour of the informant of this case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Spl.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 S.D.J.M., Bokaro within four months from today and in the event of his arrest or surrendering, he will be enlarged on bail on depositing a demand draft of Rs.1,00,000/- as ad interim victim compensation without prejudice to his defence in this case drawn in favour of the informant of 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 S.D.J.M., Bokaro in connection with Balidih P.S. Case No.158 of 2019 **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 number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case and he 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 petitioner deposits the said demand draft, the court below is directed to issue notice to the informant of this case and on his proper identification, the court below shall handover the same to him forthwith.

(Anil Kumar Choudhary, J.)