

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6183 of 2021

Jamuna Sao @ Yaumna Prasad Sao Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Hemant Kr. Shikarwar, Advocate
For the State : Mr. Prabir Kr. Chatterjee, 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 Chouparan P.S. Case No.202 of 2020 instituted under Section 21 of M.M.R.D. Act, Section 54 of J.M.M.C. Rule and Rule 3/7/9/13 of J.M.P.I.M.T. Rule, 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 entered into an agreement with Premchand Singh for storage of illegally extracted sand. It is submitted that the allegation against the petitioner is false. Drawing attention of this Court towards para-11 of the instant bail application, learned counsel for the petitioner submits that the petitioner has no criminal antecedent. It is next submitted that Premchand Singh had taken the land from the petitioner on rent; hence, Premchand Singh is responsible for any illegal act done on the said land. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and to furnish sufficient security including cash security. 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 J.M.-1st Class, Hazaribag within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on **depositing Rs.5,000/-(Rupees five thousand) as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Hazaribag in connection with Chouparan P.S. Case No.202 of 2020 **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 further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)

Animesh/