

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 6206 of 2021

Bishwajeet Singh Patra @ Bishwajeet Patra @ Vishwajeet Patra @
Vishwajeet Singh Patra ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Suraj Kumar ,Adv.
For the State : Mr. Sardhu Mahto,Addl. P.P.

02 / 06.09.2021

Heard the parties through Video Conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by 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 Nimdih P.S. Case No. 30 of 2021 registered under Sections 147, 148, 149, 353, 307, 323, 341, 427, 186, 188, 269, 270 of the Indian Penal Code, Section 51 of Disaster Management Act and Section 3 of Epidemic Act.

Learned counsel appearing for the petitioner submits that the allegations against the petitioner is that he was member of an unlawful assembly armed with deadly weapons and in prosecution of common object of the assembly in violation of prohibitory orders of the lockdown in the light of the COVID-19 pandemic, attacked the police party who restrained them from holding a fair in violation of the said prohibitory order and made murderous attempt and caused injury to the informant - Mukesh Kumar , officer in charge- Ali Akbar Khan, Assistant sub Inspector- Lakhan Oraon, Assistant sub Inspector- Amar Kumar Yadav Assistant sub Inspector Amarendra Gautam. It is then submitted

that the allegations against the petitioner are all false and the injury sustained by the informant are simple in nature. It is next submitted that the petitioner is ready to co-operate with the investigation of the case and also ready and willing to pay Rs. 50,000/- by way of five demand drafts of Rs. 10,000/- each drawn in favour of each of the five victims namely Mukesh Kumar , officer in charge- Ali Akbar Khan, Assistant sub Inspector-Lakhan Oraon, Assistant sub Inspector- Amar Kumar Yadav Assistant sub Inspector Amarendra Gautam, as ad interim victim compensation to the without prejudice to his defence and he undertakes not to annoy or disturb the informant in any manner during pendency of the case hence, the petitioner be given the privilege of anticipatory bail.

The learned Addl. PP opposes the prayer for anticipatory bail of the petitioner.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Hence, in the event of arrest by the police or surrender within a period of six weeks from the date of this order, the petitioner shall be released on bail on depositing Rs. 50,000/- by way of five demand drafts of Rs. 10,000/- each drawn in favour of each of the five victims namely Mukesh Kumar , officer in charge- Ali Akbar Khan, Assistant sub Inspector-Lakhan Oraon, Assistant sub Inspector- Amar Kumar Yadav, Assistant sub Inspector Amarendra Gautam, as ad interim victim compensation to the without prejudice to his defence 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 ACJM, Seraikella in connection with Nimdih P.S. Case No. 30 of 2021 subject to the condition that the petitioner will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of *Aadhaar* card at the time of surrender in the court below with an undertaking not to change mobile number during the pendency of the case along with the other conditions laid down under section 438 (2) Cr. P.C.

In case of depositing aforesaid demand draft by the petitioner, learned court below is directed to issue notice to the said victims and release the demand draft in their favour on proper identification forthwith.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-