

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 6218 of 2021

1. Jahida Khatoon
2. Mumtaj Ansari @ Mumtaj ... Petitioners

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Shree Nivas Roy ,Adv.
For the State : Mr. Sanat Kr. Jha ,Addl. P.P.

02/06.09.2021

Heard the parties through Video Conferencing.

Learned counsel for the petitioners 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 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 Birni P.S. Case No. 50 of 2017 registered under Sections 147, 148, 323, 353, 427, 224, 504 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the allegations against the petitioners is that the petitioners being the members of an unlawful assembly and armed with deadly weapon, attacked the police personnel, who went to arrest Kamruddin Ansari, by using criminal force and deterred them from discharging their official duty and pelted stones and attacked on the vehicle of the police personnel. It is then submitted that the allegations against the petitioners are all false. It is next submitted that the petitioners are ready to co-operate with the investigation of the case and also ready and willing to deposit Rs. 55,000/- jointly with the Deputy Commissioner, Giridih, without prejudice to their defence and subject to final decision of the case. Hence, it is

submitted that the petitioners be given the privilege of anticipatory bail.

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

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners. Hence, in the event of arrest by the police or surrender within a period of twelve weeks from the date of this order, the petitioners shall be released on bail on showing the proof of depositing Rs. 55,000/- jointly with the Deputy Commissioner, Giridih without prejudice to their defence 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 CJM, Giridih in connection with Birni P.S. Case No. 50 of 2017 subject to the condition that the petitioners 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.

At the time of conclusion of the trial the trial court will pass appropriate orders regarding the money, if any, deposited by the petitioners with the Deputy Commissioner.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-