

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
A.B. A. No. 6223 of 2021

1. Rahul Modi  
2. Rupesh Kumar Modi ... Petitioners

Versus

The State of Jharkhand ... Opposite Party

**Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

For the Petitioners : Mr. Rajiv Kumar Karan, Adv.  
For the State : Mr. Subodh Kr. Dubey, 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 in connection with Nirsa (M.P.L.O.P.) P.S. Case No. 279 of 2020 instituted under Sections 379/411 of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners committed theft of ply wood, motor pump, pipe, mobile and ladder but they could not succeed in fleeing away with the stolen articles. It is submitted that the allegation against the petitioners is false. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case and to furnish sufficient security including cash security and co-accused with similar allegations have already been granted privilege of anticipatory bail by this court vide order dated 22.03.2021 passed in ABA no. 1974 of 2021, hence, it is submitted that the petitioners be given the privileges 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 six weeks from the date of this order, the petitioners shall be released on bail on furnishing cash security of Rs. 5,000/- each 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 JMFC, Dhanbad in connection with Nirsa (M.P.L.O.P.) P.S. Case No. 279 of 2020 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.

**(ANIL KUMAR CHOUDHARY, J.)**

Smita/-