

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6270 of 2021

1. Durga Prasad Pradhan				
2. Dijen Pradhan	Petitioners
Versus				
The State of Jharkhand	Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. Nagendra Pathak, Advocate
For the State	:	Mr. Prabir Kr. Chatterjee, Spl.P.P

Order No.02 Dated- 07.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioners 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 petitioners, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending their arrest in connection with Gurabanda P.S. Case No.18 of 2021 instituted under Section 279, 337, 379 of the Indian Penal Code, Section 33 of the Indian Forest Act, Section 4/21 of Mines and Minerals Act and Section 54 of J.M.M.C. Rule, 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 are the owners of the tractors which were involved in illegal excavation of stones from forest area. It is submitted that the allegation against the petitioners is false. Drawing attention of this Court towards para-20 of the instant bail application, learned counsel for the petitioners submits that the petitioners have no criminal antecedent. 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. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned Spl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail

to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned S.D.J.M., Ghatsila within six weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on depositing **Rs.5,000/-(Rupees five thousand) each as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Ghatsila in connection with Gurabanda P.S. Case No.18 of 2021 **with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)

Animesh/