

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6287 of 2021

1. Raghu Nath Mahto		
2. Goutam Mahto @ Gautam Kumar		
3. Krishna Murari Mahto		
4. Parmeshwar Mahto		
5. Gulpi Devi		
6. Fugni Devi @ Futani Devi		
7. Gujri Devi @ Anita Devi		
8. Baijnath Mahto		
9. Manju Devi	...	Petitioners
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. Md. Faiyaj Alam, Advocate
For the State	:	Mr. Pradeep Kr. Verma, Addl. P.P.

Order No.02 Dated- 07.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioners personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the 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 Jaridih P.S. Case No.63 of 2020 (G.R. No. 514 of 2020) registered under sections 341/323/325/307/504/506/34 of the Indian Penal Code.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners in furtherance of common intention with the co-accused persons attempted to murder Chinibala Devi, Pendhibala Devi, Lakshman Mahto and the informant. It is further submitted that the allegations against the petitioners are all false. It is then submitted that the petitioners are ready and willing to jointly pay Rs. 35,000/- as ad interim victim compensation to the informant without prejudice to their defence in this case and undertake to cooperate with the investigation of the case

and also undertake that they will not annoy or disturb the informant or any of her family members in any manner during the pendency of the case. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of twelve weeks from the date of this order, they shall be released on bail on jointly depositing a demand draft of Rs. 35,000/- as ad interim victim compensation drawn in favour of informant without prejudice to their defence in this case 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 A.C.J.M., Bermo at Tenughat, in connection with Jaridih P.S. Case No.63 of 2020 (G.R. No. 514 of 2020) with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile numbers and a copy of their Aadhar Cards in the court below with the undertaking that they will not change their mobile numbers during the pendency of the case with further condition that they will not annoy or disturb the informant or any of her family members in any manner during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioners deposit the ad interim victim compensation amount, the court below is directed to issue notice to the informant and hand over the said demand draft to her, after proper identification.

(Anil Kumar Choudhary, J.)