

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 6304 of 2021

1. Abdus Salam @ A. Salam Molla
2. Isidur Rahaman @ Rasidur Rahman
3. Md. Sarafat Sk. ... Petitioners

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Raja Ravi Shekhar Singh ,Adv.
For the State : Mr. Pradeep Kr. Verma ,Addl. P.P.

02/07.09.2021

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 Barharwa P.S. Case No. 66 of 2018 registered under Sections 323, 420, 406, 467, 468, 471, 504, 120B, 34 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners sold a piece of land to the husband of the informant but later on, step grandmother of the petitioner no. 1 has executed the sale deed in respect of the same land, in favour of another person. It is then submitted that the allegations against the petitioners are all false. It is further submitted by learned counsel for the petitioners that the dispute between the parties is at best a civil dispute hence, the petitioners be given the privilege of anticipatory bail.

Learned counsel for the petitioners prays to implead the informant as opposite party no. 2.

Prayer is allowed.

The petitioners are directed to incorporate the name of the informant as opposite party no. 2 one week after the lockdown is over.

Let notice be issued to Opposite Party No. 2. The petitioners are directed to file requisites of notice through both processes i.e. under registered post with A/D as well as through ordinary process within two weeks , failing which, this anticipatory bail application shall stand dismissed without further reference to the Bench.

List this case on 23.11.2021.

Considering the submissions of the counsels and the fact as discussed above, I am inclined to pass an interim order of anticipatory bail to the petitioners provisionally till 23.11.2021. In case of the petitioners being arrested by the police on or before 23.11.2021, the petitioners shall be released on bail provisionally 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 the officer concerned in connection with Barharwa P.S. Case No. 66 of 2018 subject to the conditions laid down under section 438 (2) Cr. P.C.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-