

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6339 of 2021

Ekbal Ansari @ Ekbal Ansari @ Ekbal Anshari
... Petitioner
Versus
The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Shailesh Kr. Pandey, Advocate
For the State : Mr. P.D. Agarwal, Spl. P.P.

Order No.02 Dated- 08.09.2021

Heard the parties through video conferencing.

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

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Simariya P.S. Case No.63 of 2020 (S.T. Case No.14 of 2021) registered under sections 395 of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner along with co-accused persons has committed dacoity and looted 16 tons of coal and the driver of the said vehicle was in inimical terms with the petitioner hence, he has falsely implicated the petitioner in this case and 16 tons of coal has been recovered in an open place. It is further submitted that the allegations against the petitioner are all false. It is then submitted that the petitioner is ready and willing to pay Rs. 50,000/- to the informant without prejudice to his defence in this case, subject to final decision of the case and undertakes to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Spl. 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 petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of four months from the date of this order, he shall be released on bail on depositing a demand draft of Rs. 50,000/- drawn in favour of informant without prejudice to his defence in this case, subject to final decision of the case and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.S.J.-II, Chatra, in connection with Simariya P.S. Case No.63 of 2020 (S.T. Case No.14 of 2021) with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioner deposits the aforesaid demand draft, the court below is directed to issue notice to the informant and hand over the said demand draft to him, after proper identification.

At the time of conclusion of the trial, the trial court will pass appropriate order regarding the money if any, deposited by the petitioner with the informant in connection with this case.

(Anil Kumar Choudhary, J.)