

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6345 of 2021

1. Puran Kumar Mahto @ Puru @ Puran Mahto
 2. Pawan Kumar Mahto @ Praveen Kumar Mahto @ Pawan Mahto
 3. Punam Mahto @ Punam Kumari
 4. Sandeep Jaiswal @ Sandeep Kumar Jaiswal
 5. Sarita Devi @ Sarita Mahto
 6. Sarita Devi @ Sarita Saw
 7. Bhola Lal Mandal @ Bhola Mandal
 8. Deepak Kumar @ Deepak Mandal
 9. Shyamdev Mandal @ Shyamdeo Kumar Mandal @ Shyam Mandal
 10. Kush Kumar Kushwaha @ Kush Kumar @ Kush Kushwaha
 11. Lalmani Yadav @ Lalmuni Yadav
 12. Kokil Chand Yadav @ Kokil Yadav
 13. Kartik Mandal
 14. Sahdeo Yadav
 15. Md. Israil Ansari @ Israil Ansari
 16. Santosh Hadi @ Santosh Kumar
 17. Rambilash Ram @ Rambilash Paswan
 18. Sukhdeo Saw
 19. Rajesh Kumar Viswakarma @ Rajesh Viswakarma
 20. Sitaram Paswan
 21. Mumtaz Ansari @ Md. Mumtaz Ansari
 22. Kameshwar Kumar Mandal @ Kameshwar Mandal
 23. Mustakim Ansari
 24. Kailash Yadav
 25. Md. Masraf @ Masraf Malik
 26. Dhaneshwar Paswan
 27. Laxman Prasad Mandal @ Laxman Mandal
 28. Nageshwar Mandal @ Nago
 29. Ajay Kumar Mandal @ Azad Mandal
 30. Renu Rawani @ Renu Devi
 31. Ramjee Rana
 32. Muniya Devi @ Munni Kumari
 33. Kedar Mandal
 34. Sudama Ram
 35. Sudhanshu Ranjan Kaushik @ Sonu Pandey
 36. Abhay Kumar Saw @ Abhay Sahu
 37. Sitaram Singh
 38. Md. Imtiyaz Ali @ Imtiyaz Ali
 39. Basudeo Saw
 40. Hiramani Prasad Yadav @ Hiramani Yadav
 41. Pintu Prasad Yadav @ Pintu Yadav ... Petitioner
- Versus

The State of Jharkhand ...

Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Sanjay Kumar, Advocate

For the State : Mrs. Vandana Bharti, Addl. P.P.

Order No.02 Dated- 08.09.2021

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 Saria P.S. Case No.222 of 2020 registered under sections 147/149/186/188/189/269/270/271/353/504 of the Indian Penal Code, Section 3 of Epidemic Disease Act and under Section 51 of National Disaster Management Act and also under Section 9 of Control of the use and Display of Loudspeaker Act.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners were members of unlawful assembly and in prosecution of common object of the assembly in violation of restriction imposed in view of Covid-19 Pandemic of raising slogans by using loudspeaker against the administration after assembling at the gate of the office of SDPO, Bagodar. It is further submitted that the allegations against the petitioners are all false and there is no allegation of any criminal force being used against any public servant. It is then submitted that the petitioners are ready and willing to cooperate with the investigation of the case and also undertake that they will not indulge in violation of the restrictions relating to Covid-19 Pandemic imposed by the competent authority during the pendency of the case. Hence, it is submitted that the petitioner 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 six weeks from the date of this order, they shall be released on bail 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 C.J.M., Giridih, in connection with Saria P.S. Case No.222 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 indulge in violation of the restrictions relating to Covid-19 Pandemic imposed by the competent authority subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-