

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No. 6358 of 2021**

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1. Meghni Devi	
2. Savitri Devi @ Savita Devi	
3. Chandra Shekhar Prasad ...	Petitioners
Versus	
The State of Jharkhand ...	Opposite Party

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**CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioners	: Mr. Sarju Prasad, Advocate
For the State	: Mr. Sunil Kr. Dubey, Addl. P.P.

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**Order No.02 Dated- 06.09.2021**

Heard the parties through video conferencing.

Apprehending their arrest in connection with Barkatha P.S. Case No. 62 of 2020 instituted under Sections 147/148/149/323/324/307 of the Indian Penal Code, 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 were the members of an unlawful assembly and being armed with deadly weapon they attempted to murder the informant-Ramchandra Prasad and Tej Narayan Prasad. It is submitted that the allegation against the petitioners is false. It is submitted that the informant was the aggressor party and for the selfsame occurrence from the side of the petitioners, the co-accused -Jyani Prasad @ Jyani Mahto lodged Barkatha P.S. Case No. 61 of 2020. It is then submitted that the said co-accused -Jyani Prasad @ Jyani Mahto and his wife have also sustained injury on their head as well as the father and the mother of the co-accused sustained injury in the said occurrence and the father of the co-accused succumbed to the injury received in the occurrence, during the course of his treatment of the said injuries received at the time of the alleged occurrence in hospital. It is next submitted that the petitioners were defending the assault. It is also submitted that the petitioners have falsely been implicated in this case. It is then submitted that the petitioners are ready and willing to co-operate with the investigation of the case and undertake to jointly pay ad interim victim compensation

of Rs.30,000/- without prejudice to their defence in this case in favour of the informant. It is lastly submitted that the co-accused persons have already been given the privilege of anticipatory bail by this Court vide order dated 12.11.2020, in A.B.A. No. 5901 of 2020. Hence, it is submitted that the petitioners be also given the privileges of anticipatory bail.

Learned A.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 Judicial Magistrate, 1st Class, Hazaribagh within six weeks from today and in the event of their arrest or surrendering, the petitioners will be enlarged on bail on jointly depositing a demand draft of Rs.30,000/- as ad interim victim compensation without prejudice to their defence in this case drawn in favour of the informant and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount to the satisfaction of learned Judicial Magistrate, 1st Class, Hazaribagh in connection with Barkatha P.S. Case No. 62 of 2020 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 numbers and photocopy of the Aadhar Card with an undertaking that they will not change their mobile numbers during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioners deposit the said demand draft, the court below is directed to issue notice to the informant and on his proper identification, the court below shall handover the same to him forthwith.

**(Anil Kumar Choudhary, J.)**