

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6365 of 2021

Akhilesh Kumar Singh	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Vikram Singh, Advocate
For the State	: Mrs. Nehala Sharmin, Addl. 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 Tandwa P.S. Case No.165 of 2020 registered under sections 147/148/149/341/342/323/448/324/307/379 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that it has been wrongly mentioned in the anticipatory bail application that the case is pending in the court of Additional Chief Judicial Magistrate, Chatra but in fact, the same is pending in the court of Chief Judicial Magistrate, Chatra.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner in furtherance of common intention with the co-accused persons attempted to murder Ram Charitar Singh, Rituraj Kumar Singh, Parmanand Singh and Kundan Kumar and also assaulted the female members of the informant party and took away Rs.40,000/- cash and the box containing the ornaments. It is further submitted that the allegations against the petitioner are all false and for the selfsame

occurrence from the side of the petitioner, the father of the petitioner lodged Tandwa P.S. Case No.166 of 2020 and there was free fight between the parties. It is then submitted that the petitioner is ready and willing to pay Rs. 40,000/- as ad interim victim compensation to the informant without prejudice to his defence in this case and undertakes to cooperate with the investigation of the case and also undertakes that he will not annoy or disturb the informant or any of his 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 petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on depositing a demand draft of Rs. 40,000/- as ad interim victim compensation drawn in favour of informant without prejudice to his defence in this 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 C.J.M., Chatra, in connection with Tandwa P.S. Case No.165 of 2020 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 with further condition that he will not annoy or disturb the informant or any of his 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 petitioner deposits 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 him, after proper identification.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-