

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**(Criminal Miscellaneous Jurisdiction)**  
**B.A. No. 4450 of 2020**

1. Shravan Chandravanshi, son of Shyam Nath Chandravanshi.  
2. Vikash Chandravanshi, son of Shrawan Chandravanshi.  
..... Petitioners

**Versus**

The State of Jharkhand ..... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO**  
**(Through : Video Conferencing)**

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For the Petitioners : Mr. Anurag Singh, Advocate.  
For the State : Mr. Santosh Kumar Shukla, A.P.P.

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**02/Dated: 27/07/2020**

Heard, learned counsel, Mr. Anurag Singh on instruction of learned counsel for the petitioners, Mr. Sanjay Kumar Pandey.

Learned counsel for the petitioners has submitted that though there are some defect(s) in the bail application as pointed out by the Stamp Reporter, but he has filed an undertaking that he shall remove the defect(s) after the lock down period is over and the bail application may be heard as it is a regular bail application of the petitioners who are in custody since 12.04.2020.

Considering the same, this Court is inclined to hear the bail application on merits, but with condition that petitioners shall remove the defect(s) after the lock down period is over.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the lock down period is over so as to remove the defect(s).

Learned counsel for the petitioners has submitted that the petitioners have prayed for grant of regular bail in connection with Kandi P.S. Case No. 37/2020 for the offence registered under Sections 188, 147, 148, 149, 341, 323, 325, 353, 337, 338, 307, 379, 504 and 506 I.P.C.

Learned counsel for the petitioners has submitted that F.I.R. has been lodged on the basis of written report submitted by A.S.I. Satish Kumar Mahto alleging that PDS Dealer is mixing small parts of stones in rice during lock down period. Thereafter, the police went there, which was protested by villagers including these petitioners.

Learned counsel for the petitioners has submitted that as per the allegation made in the F.I.R., it is alleged that large number of villagers including the Mukhiya have protested and used criminal force against public servant from discharging their duty.

Learned counsel for the petitioners has submitted that even though injuries have been found simple in nature and these petitioners have no criminal antecedents and they were not the members of unlawful assembly, rather, they were mistakenly taken by police as the place of occurrence is situated in their village.

Learned counsel for the petitioners has submitted that petitioners are in custody since 12.04.2020 and charge sheet has already been submitted, as such, petitioners may be enlarged on bail.

Learned counsel for the State, Mr. Santosh Kumar Shukla, Additional Public Prosecutor has opposed the prayer for bail and has submitted that it is a case under Sections 353, 307 along with other sections of Indian Penal Code, as such, petitioners may not be enlarged on bail.

After hearing learned counsel for the parties and on the basis of materials available on record, since the petitioners are in custody since 12.04.2020 and there are simple injury on the police personnel, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each in connection with Kandi P.S. Case No. 37/2020 to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Garhwa on the following conditions:

(i) One of the bailors shall be the deponent / parivikar of the present case namely, Rajendra Mishra, son of Late Shiv Nandan Mishra, resident of Ward No. 9, Village – Salaiya, P.O. - Ranka, P.S. - Ranka, District – Garhwa, Jharkhand, whose UID Number is 2045 7217 4451.

***Office is directed to send the photocopy of UID Card bearing no. 2045 7217 4451 of deponent alongwith this order to the court below so as to verify the authenticity of the bailor.***

(ii) Another bailor shall be close relative of the petitioners.

(iii) Petitioners shall appear before the learned trial court on each and every date fixed for their appearance, failing which the trial court shall cancel the bail bonds of the petitioners.

(iv) The Jail Authority shall release the petitioners only after their medical check-up.

(v) The Civil Surgeon, Garhwa is directed to medically examine the petitioners at the time of their release and if require, petitioners shall be taken for quarantine, but if no such requirement is there, they shall be released forthwith, if not wanted in any other case.

(vi) The petitioners shall follow all the guidelines issued by the Government to meet the challenges of Covid-19, as presently Country is passing through pandemic of Covid-19.

Accordingly, the instant bail application is allowed.

**(Kailash Prasad Deo, J.)**

Sunil-Jay/