

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2611 of 2020

Samad Ali Sapui

...Petitioner

-V e r s u s-

The State of Jharkhand

... Opp. Party

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner :- Mr. Suraj Singh, Advocate

For the State :- Mr. Sunil Kumar Dubey, A.P.P.

02/24.07.2020

The present case is taken up through video conferencing.

Heard learned counsel for the parties.

In view of the defect no. 1 pointed out by the office in which Chakulia P.S. Case No. 12 of 2018 has wrongly been mentioned as Chakulia P.S. Case No. 06 of 2020 in paragraph-1 and prayer portion of the anticipatory bail application, learned counsel for the petitioner requests the Court that the office itself may be directed to correct the said mistake.

Considering the present situation prevailing due to outbreak of COVID-19 (Coronavirus) pandemic, office is directed to correct the P.S. Case number as Chakulia P.S. Case No. 12 of 2018 in place of Chakulia P.S. Case No. 06 of 2020 in paragraph-1 and prayer portion of the anticipatory bail application..

The petitioner apprehending his arrest in connection with Chakulia P.S. Case No. 12 of 2018 registered under Section 379 of the Indian Penal Code pending in the court of Sub-Divisional Judicial Magistrate, Ghatsila, has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The petitioner has been arrayed in the present case being the owner of the vehicle having registration no. WB-19H-1649 from which 135 pieces of stolen pipes of size 150 mm were recovered. In fact, the petitioner had given that vehicle to co-accused Karan Ravi Das (driver of the petitioner), who allegedly committed the said theft. The petitioner has no concern with the alleged offence and as such, he may be given the privilege of anticipatory bail.

Learned A.P.P. while opposing the petitioner's prayer for anticipatory bail submits that the petitioner is directly involved in commission of the alleged offence as 135 pieces of stolen pipes of size 150 mm were recovered from the vehicle registered in his name. Hence, he may not be given the privilege of anticipatory bail.

Considering the aforesaid facts and circumstance, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his anticipatory bail application is hereby rejected.