

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2113 of 2020

Wakil Mahto

...Petitioner

-V e r s u s-

The State of Jharkhand

... Opp. Party

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner :- Mr. Awanikant Prasad, Advocate

For the State :- Mr. Ravi Prakash, A.P.P.

03/21.07.2020

The present case is taken up through video conferencing.

Heard learned counsel for the parties.

The petitioner apprehending his arrest in connection with G(F) Case No. 434 of 2009 registered under Section 33 of the Indian Forest Act, 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 offence report. It is alleged that the petitioner and others were clearing bushes and were ploughing the land situated in the protected forest area. Similarly situated co-accused persons namely Sita Ram Mahto @ Sita Ram Prasad Kushwaha, Suresh Mahto @ Suresh Prasad, Baleshwar Mahto, Lala Prasad Kushwaha @ Lalo Prasad, Khageshwar Mahto and Mohan Prasad Kushwaha have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 26.02.2018 passed in A.B.A. No. 399 of 2018. Hence, the petitioner may be given the privilege of anticipatory bail.

Learned A.P.P. opposes the petitioner's prayer for anticipatory bail.

Having heard the learned counsel for the parties and keeping in view that similarly situated co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 26.02.2018 passed in A.B.A. No. 399 of 2018, I am inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the petitioner, above named, is directed to surrender before the concerned court below on or before 06.08.2020. In the event of his arrest/surrender before the concerned court below by the said date, he shall be released on bail on furnishing bail bond of Rs.20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-1st Class, Hazaribagh in connection with G(F) Case No. 434 of 2009, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Rajesh Shankar, J.)