

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No. 6034 of 2019**

Diwakar Mishra @ Diwakar Nath Mishra ... .. petitioner  
Versus

The State of Jharkhand ... .. Opposite Party

**CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR**

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For the petitioner : Ms. Pooja Kumari, Advocate  
For the State : Mr. Ravi Prakash, Spl.P.P., NDPS

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06/21.07.2020 The present anticipatory bail application is taken up today through Video conferencing.

Heard the learned counsel for the parties.

The petitioner is apprehending his arrest for the offences punishable under Sections 147/148/149/341/323/295A of the Indian Penal Code.

The learned counsel for the petitioner submits that the anticipatory bail application of the petitioner was earlier dismissed as not pressed due to non-appearance of the counsel on 17.10.2019. However, the petitioner subsequently filed Cr.M.P. No. 903 of 2020 for restoration of the present anticipatory bail application and vide order dated 10.07.2020, the same has been restored to its original file.

The 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 FIR. On perusal of the written report of the informant, it would be evident that the name of co-accused Bhairon Singh has been mentioned as the person who was leading the procession. Though the names of few other accused persons including the petitioner have been mentioned in last paragraph of the written report, however, no overt act on their part has been mentioned therein. Admittedly, there were hundreds of people in the said procession. So far as the present petitioner is concerned, he is a respectable person in the society having no criminal antecedent. Similarly situated co-accused Manoj Kumar has already been granted anticipatory bail by a Bench of this Court vide order dated 18.09.2017 passed in A.B.A. No. 5757 of 2017. Hence, the petitioner may be given the privilege of anticipatory bail.

The learned A.P.P. opposes the petitioner's prayer for anticipatory bail. However, on the basis of memo of evidence received by him, he submits that the petitioner has no criminal antecedent against him.

Having heard the learned counsel for the parties and considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner above named, in the event of his arrest/surrender by 06.08.2020, shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ranchi in connection with Hindpiri P.S. Case No. 43/2017, corresponding to G.R. No. 1787/2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Rajesh Shankar, J.)**

Manish