

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No.1643 of 2021

1. Govind Yadav
2. Ravina Yadav @ Ravindra Yadav Petitioners
Versus
The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Sarvendra Kr., Advocate
For the State : Mr. Shailesh Kr. Sinha, Addl.P.P

Order No.02 Dated- 17.04.2021

Heard the parties through video conferencing.

Learned counsel for the petitioners undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioners, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending their arrest in connection with Hunterganj P.S. Case No.195 of 2020 instituted under Sections 147, 148, 149, 323, 324, 325, 326, 307 of the Indian Penal Code and Section 3 & 4 of Witch Craft Prevention of (Daain) Practice Act, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners along with the co-accused persons were the members of an unlawful assembly and being armed with deadly weapons, they attempted to murder the informant, Tej Yadav, Shanti Devi, Arvind Yadav, Jyoti Kumari and the daughter-in-law of the informant and branded Shanti Devi as *Daain*. It is submitted that the allegation against the petitioners is false. It is also submitted that the petitioners undertake that they will not disturb or annoy the informant in any manner during the pendency of the case and will not go to or near the place of occurrence during the pendency of the case. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case and to jointly pay ad interim victim compensation of Rs.90,000/- without prejudice to their defence in this case in favour of the informant. Hence, it is submitted that the petitioners be given the privileges of

anticipatory bail.

Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned C.J.M., Chatra within three months from today and in the event of their arrest or surrendering, they will be enlarged on bail on jointly depositing a demand draft of Rs.90,000/- as ad interim victim compensation without prejudice to their defence in this case drawn in favour of the informant and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Chatra in connection with Hunterganj P.S. Case No.195 of 2020 **with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case and they will not disturb or annoy the informant in any manner during the pendency of the case and will not go to or near the place of occurrence during the pendency of the case** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioners deposit the said demand draft, the court below is directed to issue notice to the informant and on his proper identification, the court below shall handover the same to him forthwith.

(Anil Kumar Choudhary, J.)