

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1703 of 2021**

Abdul Rahim Ansari @ Rahim Ansari

.... .. Petitioner

Versus

The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Md. Faruque Ansari, Advocate

For the State : Mr. P.K. Chatterjee, Addl.P.P

Order No.02 Dated- 17.04.2021

Heard the parties through video conferencing.

Learned counsel for the petitioner 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 petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest in connection with Chainpur P.S. Case No. 331 of 2020 instituted under Sections 379, 427, 120/34 of the Indian Penal Code and Section 33, 77 of Indian Forest Act and Section 5 of Arrah (Saw) Mill Control Act, 1990, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner is a habitual offender of running saw mill and denuding forest of timber by illegally cutting logs of wood and huge amount of logs of wood of Semal, Haldi and Gamahar etc., were recovered from the said Saw Mill of the petitioner. It is submitted that the allegation against the petitioner is false. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State on the other hand vehemently opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner is involved in at least nine cases as mentioned in the rejection order of his anticipatory bail application dated 02.02.2021 passed by the court of Addl. Sessions Judge-VI, Palamau at Daltonganj. It is next submitted that the petitioner is a threat to the precious reserve forest area in the locality, hence, his custodial interrogation is required during the investigation of the case to find

out the chain of the movement of stolen forest produce. Hence, it is submitted that the petitioner ought not to be given the privilege of anticipatory bail.

Considering the serious nature of the allegation against the petitioner and the requirement of his custodial interrogation during the investigation of the case as well as his criminal antecedent, this Court is of the considered view that this is not a fit case where the petitioner be given privilege of anticipatory bail. Accordingly, the prayer for anticipatory bail of the above named petitioner is rejected.

(Anil Kumar Choudhary, J.)

Pappu/