

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1849 of 2021

Prabhu Sah	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. A.K. Kashyap, Sr. Advocate	
For the State	: Mrs. Nehala Sharmin, Addl. P.P.	

Order No.02 Dated- 12.04.2021

Heard the parties through video conferencing.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Godda Town P.S. Case No.156 of 2017 (G.R. No. 969 of 2017) registered under sections 302/34 of the Indian Penal Code.

The Learned Senior Advocate appearing for the petitioner submits that the allegation against the petitioner is that the petitioner along with the co-accused persons in furtherance of common intention have committed murder of Budhu Sah. It is alleged that the petitioner caught hold of the leg and other co-accused persons caught hold of other limbs of the victim and the co-accused -Prem Lal Sah strangulated Budhu Sah resulting in his death. It is also alleged that the petitioner is convicted in another murder case and has returned to village after serving out the sentence of 14 years in jail. It is further submitted that the allegations against the petitioner are all false and the petitioner is an old person of 70 years of age. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. on the other hand vehemently opposes the prayer for grant of anticipatory bail and submits that there is direct allegation against the petitioner of committing murder of Budhu Sah and keeping in view that the petitioner was convicted in a other murder case but he has not mended himself as also the custodial interrogation of the petitioner is required during the investigation of

the case to find out the details of the case, hence, it is submitted that the petitioner ought not be given the privilege of anticipatory bail.

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

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-