

**IN THE HIGH COURT OF JHARKHAND AT RANCHI  
A.B.A. No. 2043 of 2021**

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Asutosh Kumar @ Ashutosh Kumar                      ...                      Petitioner  
Versus  
The State of Jharkhand                      ...                      Opposite Party

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**CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioner                      : Mr. Nilesh Kumar, Advocate  
For the State                              : Mr. M.K. Mishra, Addl. P.P.

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**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 Sadar P.S. Case No.533 of 2020 registered under sections 302/34 of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner in furtherance of common intention with the co-accused persons have committed the murder of Prabhakar Kumar. It is further submitted that the allegations against the petitioner are all false. It is then submitted by the learned counsel for the petitioner that in his confessional statement made before police, the co-accused person Pankaj Upadhyay has stated that the deceased first attacked the petitioner and Vaibhav as well as Pankaj and the petitioner sustained injury and became unconscious and after that Vaibhav and Pankaj snatched away the knife from the deceased Prabhakar and by using that knife murdered him. It is next submitted that during the course of investigation of the case police also seized documents regarding the treatment of the petitioner in hospital with three stitched wounds and the petitioner has not committed any offence rather he is the victim of the case. It is then submitted that the petitioner is ready and willing to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Ranchi, in connection with Sadar P.S. Case No.533 of 2020 with the condition that he will co-operate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Anil Kumar Choudhary, J.)**

Sonu/Gunjan-