

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1063 of 2021

Santosh Mahra @ Santosh Kumar Das

...

Petitioner

Versus

The State of Jharkhand

...

Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Arvind Kr. Choudhary, Advocate

For the State : Mrs. Snehlika Bhagat, Addl. P.P.

Order No.02 Dated- 05.04.2021

Heard the parties through video conferencing.

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

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

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Sarath P.S. Case No.186 of 2017 registered under sections 341/323/379/34 of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has committed theft of Rs.3,600/- and a mobile phone of the informant. It is further submitted that the allegations against the petitioner are all false and there was a quarrel between the parties after an accident, hence this false case has been foisted. It is next submitted that the petitioner is ready and willing to pay Rs.5,000/- as ad interim victim compensation to the informant without prejudice to his defence in this case and undertakes 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 depositing a demand draft of Rs.5,000/- as ad interim victim compensation in favour of informant and 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 Judicial Magistrate, Madhupur, in connection with Sarath P.S. Case No.186 of 2017 with the condition that the petitioner will cooperate 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 subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioner deposits the ad interim victim compensation amount, the court below is directed to issue notice to the informant and hand over the said demand draft to him, after proper identification.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-