

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 1169 of 2021

Masudan Mandal @ Sav ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. P. P. N. Roy , Sr. Adv.
For the State : Ms. Vandana Bharti ,Addl. P.P.

02/ 25.03.2021

Heard the parties through Video Conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by 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 Gawan P.S. Case No. 100 of 2020 registered under Sections 147, 148, 149, 323, 324, 307, 379 of the Indian Penal Code and Section 27 of Arms Act.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that while the informant was cultivating the land, the petitioner broke the door of the motor house and took away all the articles and the petitioner opened fire in the air. It is then submitted that the allegations against the petitioner are all false and no injury has been sustained by anybody. It is further submitted by learned counsel for the petitioner that the petitioner has been implicated in this case because there is land dispute between the parties. It is next submitted that the petitioner is ready to co-operate with the investigation of the case and also undertakes to pay Rs. 5,000/- as ad interim victim compensation to the informant without prejudice to his defence and he undertakes not

to annoy or disturb the informant in any manner during pendency of the case hence, the petitioner be given the privilege of anticipatory bail.

The learned Addl. PP opposes the prayer for anticipatory bail of the petitioner.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Hence, in the event of arrest by the police or surrender within a period of six weeks from the date of this order, the petitioner shall be released on bail on depositing Rs. 5,000/- by way of demand draft drawn in favour of informant as ad interim victim compensation 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 Sessions Judge, Giridih in connection with Gawan P.S. Case No. 100 of 2020 subject to the condition that the petitioner will not annoy or disturb the informant in any manner during pendency of the case and will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of *Aadhaar* card at the time of surrender in the court below with an undertaking not to change mobile number during the pendency of the case along with the other conditions laid down under section 438 (2) Cr. P.C.

In case of depositing aforesaid demand draft by the petitioner, learned court below is directed to issue notice to the informant and release the demand draft in his favour on proper identification forthwith.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-