

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1171 of 2021

Hobu Sk. @ Mursalim Sk. Petitioner
Versus
The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Shashi Kant Thakur, Advocate
For the State : Mr. Vineet Kumar Vashistha, Addl.P.P

Order No.02 Dated- 25.03.2021

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 Pakur Malpahari P.S. Case No. 148 of 2018 corresponding to G.R. No. 541 of 2018 instituted under Sections 4 and 5 of Explosive Substance Act, 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 co-accused person who were found in possession of explosive substance without any valid licence disclosed before the police that they used to supply the illegal the explosive substance to the mines of the petitioner. It is submitted that the allegation against the petitioner is false. It is next submitted that the petitioner has been implicated in this case only on the basis of confessional statement of the co-accused person. Drawing attention of this Court towards para-15 of the instant anticipatory bail application, learned counsel for the petitioner submits that the petitioner has no criminal antecedent. It is next submitted that the co-accused, with similar allegation, has been given the privilege of anticipatory bail by this Court vide order dated 14.08.2019 passed in A.B.A. No.5151 of 2019. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and to furnish sufficient security including cash security. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court of learned C.J.M., Pakur within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on depositing Rs.10,000/- (Rupees ten thousand) as cash security and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Pakur in connection with Pakur Malpahari P.S. Case No. 148 of 2018 corresponding to G.R. No. 541 of 2018 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 furnish his mobile number and photocopy of the Aadhar Card with an 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.)

Pappu/