

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No.1177 of 2021**

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1. Barkat Sk. Barkat Sheikh @ Barkat Seikh
  2. Khairul Sk. @ Khairul Sheikh @ Khairul Seikh
  3. Abdul Momin @ Abdul Mobin @ Abdul Mofin        ....    ....    ....
- Petitioners

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 Petitioners                        : Mr. Gautam Kumar, Advocate

For the State                                : Mr. Bishambhar Shastri, Addl.P.P

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**Order No.02 Dated- 25.03.2021**

Heard the parties through video conferencing.

Learned counsel for the petitioners 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 petitioners, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending their arrest in connection with Radhanagar P.S. Case No. 91 of 2020 instituted under Sections 147,148, 149, 323, 307, 379, 332, 353 and 504 of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners were the member of an unlawful assembly being armed with deadly weapon and in prosecution of the common object of the assembly used criminal force against the police personnel who had gone to arrest one criminal namely Azeemuddin Sk. and attempted to murder Niranjan Kacchap, Pranit Patel, Gaurav Kumar, Jagannath Pan, Yogendra Prasad Singh, Ranjit Kumar Mahto, Bablu Kumar yadav, Sajjad Ansari and Innocent Murmu. It is submitted that the allegation against the petitioners is false. 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 12.10.2020 passed in A.B.A. No.4871 of 2020. It is further submitted that the petitioners undertake that they will not annoy or disturb all the victims in any manner during the pendency of the case. It is lastly submitted that the petitioners

are ready and willing to co-operate with the investigation of the case and undertakes to jointly pay ad interim victim compensation of Rs.90,000/- by way of nine separate demand drafts of Rs. 10,000/- each drawn in favour of each of the nine victims namely Niranjan Kacchap, Pranit Patel, Gaurav Kumar, Jagannath Pan, Yogendra Prasad Singh, Ranjit Kumar Mahto, Bablu Kumar Yadav, Sajjad Ansari and Innocent Murmu without prejudice to their defence in this case. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

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

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned J.M. 1st Class, Rajmahal within six weeks from today and in the event of their arrest or surrendering, the petitioners will be enlarged on bail on depositing a demand draft of Rs.90,000/- by way of nine separate demand drafts of Rs. 10,000/- each drawn in favour of each of the nine victims namely Niranjan Kacchap, Pranit Patel, Gaurav Kumar, Jagannath Pan, Yogendra Prasad Singh, Ranjit Kumar Mahto, Bablu Kumar Yadav, Sajjad Ansari and Innocent Murmu and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount to the satisfaction of learned J.M. 1st Class, Rajmahal in connection with Radhanagar P.S. Case No. 91 of 2020 with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile numbers and photocopy of the Aadhar Card with an undertaking that they will not change their mobile numbers during the pendency of the case and with the condition that the petitioners will not annoy or disturb all the victims in any manner during the pendency of the case subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioners deposit the said demand draft, the court below is directed to issue notice to the above named victims and on their proper identification, the court below shall handover the same to them forthwith.

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