

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1186 of 2021

1. Md. Mubarak @ Mubarak Hussain
2. Md. Jibrail
3. Md. Danis @ Danish Parvez
4. Md. Shamim @ Shamim Ahmad
5. Md. Noushad @ Md. Naushad Alam
6. Dastgir Alam
7. Md. Babar
8. Md. Mobin @ Md. Mabin
9. Md. Manowar @ Manouwar Hussain
10. Abul Hassan @ Md. Abul Hassan
11. Maqsood Alam
12. Hasmat Ali @ Ismat Ali
13. Soaib Akhtar @ Saheb
14. Md. Irfan

.... Petitioners

Versus

The State of Jharkhand

.... Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Rahdhir Kumar, Advocate
For the State : Mr. Anuradha Sahay, Addl.P.P

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 Katkamdag P.S. Case No. 91 of 2020 instituted under Sections 147, 148, 149, 323, 332, 333, 307, 153A, 295, 427, 435, 337, 353, 379 of the Indian Penal Code and Section 67 of I.T. Act and Section 51 of Disaster Management Act and Sections 2, 3, 4 of Jharkhand State Epidemic Disease (Covid-19) Regulation Act, 2020, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the police party after seizing bovine flesh was proceeding to destruction of the same but about 3000-3500 persons of Muslim community armed with weapons created hindrance and the persons from Hindu community also assembled

there and threw stones and two motorcycles were burnt by the mob and persons of the Muslim community killed the bovine animal hurting the religious feelings of Anurag Mishra and the allegation against the petitioners is that, the petitioners have telecasted the incident live on Facebook. It is submitted that the allegation against the petitioners is false. It is next submitted that there is no allegation against the petitioners of assaulting anybody or committing any offences. It is then submitted that the co-accused, with similar allegation, has been given the privilege of anticipatory bail by this Court vide order dated 11.11.2020 passed in A.B.A. No. 5790 of 2020. It is further submitted that the petitioners undertake that they will not annoy or disturb the informant or his family members 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. 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 S.D.J.M., Hazaribag within six weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Hazaribag in connection with Katkamdag 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 the informant or his family members in any manner 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.)