

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1232 of 2021

1. Chandan Kumar Prasad @ Chandan Kumar
2. Santosh Kumar Prasad @ Santosh Kumar

... Petitioners

Versus

The State of Jharkhand & Anr. ... Opposite Parties

CORAM:HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Anupam Anand, Advocate

For the State : Mrs. Ruby Pandey, Addl. P.P.

Order No.02 Dated- 25.03.2021

Heard the parties through video conferencing.

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

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Bermo P.S. Case No.156 of 2020 (G.R. No. 1010 of 2020) registered under sections 341/323/325/354/504/506/34 of the Indian Penal Code.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners outraged the modesty of the informant. It is further submitted that the allegations against the petitioner are all false and rather the petitioners were assaulted by the two brothers of the informant and in this respect, the petitioner no.1 lodged Bermo P.S. Case No. 157 of 2020 and to settle score with the petitioners, this false case has been foisted by the informant. It is next submitted that the petitioners are ready and willing to jointly pay Rs.10,000/- as ad interim victim compensation to the informant without prejudice to their defence in this case and undertake to cooperate with the investigation of the case and also

undertake that they will not annoy or disturb the informant or her family members in any manner during the pendency of the case. Hence, it is submitted that the petitioners 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 petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of six weeks from the date of this order, they shall be released on bail on jointly depositing a demand draft of Rs.10,000/- as ad interim victim compensation in favour of informant and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bermo at Tenughat, in connection with Bermo P.S. Case No.156 of 2020 (G.R. No. 1010 of 2020) with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile number and a copy of their Aadhar Card in the court below with the undertaking that they will not change their mobile number during the pendency of the case with further condition that they will not annoy or disturb the informant or her family members in any manner during the pendency of the case and other conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioners deposit 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 her, after proper identification.

Sonu/Gunjan-

(Anil Kumar Choudhary, J.)