

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1269 of 2021

1. Sarfaraz @ Changez Khan		
2. Imtiyaz Kha		
3. Taslim Khan		
4. Sabir Hussain		
5. Mahen Sonu @ Md. Jalil Ansari		
6. Md. Zishan	...	Petitioners
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. V.K. Roy, Advocate
For the State	:	Mr. Md. Hatim, Addl. P.P.
For the Informant	:	Mr. Surya Prakash, Advocate

Order No.02 Dated- 05.04.2021

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.

Learned counsel for the petitioners submits that he does not press the prayer for anticipatory bail of the petitioner nos.1 and 6 as they have since been arrested.

Accordingly, the prayer for anticipatory bail of the petitioner nos.1 and 6 is rejected as not pressed.

Apprehending their arrest, the petitioner nos.2 to 5 has moved this Court for grant of privilege of anticipatory bail in connection with Lohsinghna P.S. Case No.53 of 2020 registered under sections 323/324/354/448/506/504/34 of the Indian Penal Code, Section 3 of Epidemic (Covid-19) Act, and under Section 51 of D.M. Act.

So far as the petitioner nos.2 to 5 are concerned, the learned counsel for the petitioner nos.2 to 5 submits that the allegation is that the informant has taken Rs.3,25,000/- from them for selling the land but she is not selling the land but only to pressurize them

not to claim that amount, this false case has been foisted. It is further submitted that the allegations against the petitioner nos.2 to 5 are all false. It is then submitted that the petitioner nos.2 to 5 is ready and willing to cooperate with the investigation of the case and also undertake that they will not annoy or disturb the informant in any manner during the pendency of the case. Hence, it is submitted that the petitioner nos.2 to 5 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 petitioner nos.2 to 5 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 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 A.C.J.M., Hazaribag, in connection with Lohsinghna P.S. Case No.53 of 2020 with the condition that the petitioner nos.2 to 5 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 numbers and a copy of their Aadhar Cards in the court below with the undertaking that they will not change their mobile numbers during the pendency of the case with further condition that they will not annoy or disturb the informant in any manner during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)