

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 1274 of 2021

1. Lawkesh Kumar Saw @ Lowkesh Saw @ Lokesh Kumar Saw @
Lowkesh Kumar Saw
2. Mithu Paswan
3. Bablu Paswan @ Suraj Paswan
4. Anuj Kumar Das @ Anuj Ram
5. Baijnath Gope @ Baijnath Kumar @ Baijanath Kumar
6. Raju Kumar
7. Sagar Kumar
8. Rinku Paswan @ Takla
9. Rohit Paswan
10. Mahesh Kumar Saw @ Mahesh Saw ... Petitioners

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. K. Prajapati ,Adv.
For the State : Mr. Rajesh Kumar ,Addl. P.P.

02 / 25.03.2021

Heard the parties through Video Conferencing.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Ichak P.S. Case No. 180 of 2020 registered under Sections 147, 148, 149, 341, 342, 323, 337, 338, 435, 307, 353, 332, 333, 427, 511 of the Indian Penal Code ad Section 2/3/4/ of Jharkhand State Epidemic Disease (COVID-19) Regulation Act, 2020 and Section 51 of Disaster Management Act.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that consequent upon the death of a person in a road accident and serious injury sustained by another person, the case was registered and the police was investigating the case then, the petitioners being the members of an unlawful assembly, armed with deadly weapons, obstructed the road and misbehaved with the passersby and pelted stones on the police team and assaulted the police personnel using criminal force against them and tried to snatch their arms. It is then submitted that the

allegations against the petitioners are all false. It is further submitted by learned counsel for the petitioner that the petitioners have no criminal antecedent, as mentioned in paragraph 12 of the anticipatory bail application. It is next submitted that the petitioners are ready to co-operate with the investigation of the case and also ready and willing to furnish sufficient including cash security and co-accused with similar allegations have already been granted privilege of anticipatory bail by this court vide orders dated 22.03.2021, 25.03.2021 passed in ABA nos. 1376 of 2021 and 1237 of 2021 respectively. It is further submitted by learned counsel for the petitioners that the petitioners undertake not to annoy or disturb the informant in any manner during pendency of the case hence, the petitioners be given the privilege of anticipatory bail.

The learned Addl. PP opposes the prayer for anticipatory bail of the petitioner.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners. Hence, in the event of arrest by the police or surrender within a period of six weeks from the date of this order, the petitioners shall be released on bail on furnishing cash security of Rs. 5,000/- each 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 SDJM, Hazaribag in connection with Ichak P.S. Case No. 180 of 2020 subject to the condition that the petitioners will not annoy or disturb the informant in any manner during pendency of the case and will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of *Aadhaar* card at the time of surrender in the court below with an undertaking not to change mobile number during the pendency of the case along with the other conditions laid down under section 438 (2) Cr. P.C.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-