

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 2342 of 2021

1. Tanveer Alam
2. Md. Adil Hussain @ Adil Miyan ... Petitioners

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Rajesh Kr. Singh ,Adv.
For the State : Mr. Ashok Kumar ,Addl. P.P.

02 / 25.03.2021

Heard the parties through Video Conferencing.

Apprehending their arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Pratappur P.S. Case No. 146 of 2018 registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 353, 295A of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that the allegation against the petitioners is that the petitioners were member of an unlawful assembly and armed with deadly weapons attempted to murder Md. Sadik, Md. Ushman, Anil Bharti, Ajay Yadav and Hujaiiffa and caused injuries to them. It is next submitted that the allegation against the petitioners are all false and the petitioners raised slogans to outrage the religious feelings of a class of citizens of India and when the police tried to pacify the matter, they tried to attack the members of other community. It is also submitted that the petitioners were not present at the place of occurrence and they have been falsely implicated in this case because they are the residents of locality. It is lastly submitted that petitioners undertake to jointly pay victim compensation of Rs. 25,000/- i.e. Rs.5000/- to each of the victims without prejudice to their defence in this case and undertake to cooperate with the investigation of the case and co-accused with similar allegations have already been granted privilege of anticipatory bail by this

court vide order dated 28.02.2020 passed in ABA no. 1188 of 2020 and they undertake not to annoy or disturb the victims in any manner during 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 total sum of Rs. 25,000/- by way of five demand drafts of Rs. 5000/- each drawn in favour of each of the five victims namely Md. Sadik, Md. Ushman, Anil Bharti, Ajay Yadav and Hujaiiffa as ad interim victim compensation 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., Chatra, in connection with Pratappur P.S. Case No.146 of 2018 with the condition that the petitioners will not annoy or disturb the victims in any manner during pendency of the case and 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 subject to the 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 victims and hand over the said demand draft to them, after proper identification.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-