

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3500 of 2013

1. James Linda @ Jemes Linda
2. Robert Linda
3. Tuni Linda @ Antony Linda
4. Suman Ekka @ Sankar Ekka Petitioners
Versus
The State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE P.P.BHATT

For the Petitioners : Mr. Pradeep Kr. Verma, Advocate.
For the Opp. Party : A.P.P.

04/31.10.2013 At the outset, learned counsel for the petitioners seeks permission to withdraw the application with respect to petitioner no. 2, as it has become infructuous.

The permission, as sought for is granted.

Accordingly, the anticipatory bail application with respect to petitioner No. 2 stands disposed of as withdrawn.

The present anticipatory bail application is filed on behalf of petitioner Nos. 1, 3 to 4 under Sections 438 and 440 of the Code of Criminal Procedure seeking anticipatory bail as the petitioners are apprehending their arrest in connection with Tatisilway P.S. Case No. 34/13, corresponding to G.R. No. 2116 of 2013 for the offence punishable under Sections 147, 149, 436, 379, 448, 427, 337 and 506 of the Indian Penal Code and Section 27 of the Arms Act, pending in the Court of learned Chief Judicial Magistrate, Ranchi.

Heard the learned counsel for the petitioners as well as learned APP appearing on behalf of the State and perused the F.I.R. and other papers annexed to this application.

Learned counsel for the petitioners submitted that the petitioners have not committed offence as alleged and they have been falsely implicated in this case. It is further submitted that the co-accused, Usha Binita Lakra, having similar allegation, was granted anticipatory bail by this Court in ABA No. 3867/2013 vide order dated 28.10.13.

The learned A.P.P. appearing on behalf of State has opposed the prayer for anticipatory bail of the petitioners but is not in a position to controvert the submissions advanced by the learned counsel for the petitioners.

Considering the above submissions and having regard to

the aforesaid facts and circumstances of the case, considering the nature of accusation and gravity of the alleged offence and also considering the fact that co-accused, Usha Binita Lakra, having similar allegation, has been granted anticipatory bail by this Court, this Court is of the view that the anticipatory bail is required to be granted in favour of the present petitioners. Accordingly, in the event of their arrest or surrender within three weeks from the date of this order, the petitioners, named above, except petitioner No. 2, are directed to be released on bail on executing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Ranchi in connection with Tatisilway P.S. Case No. 34/13, corresponding to G.R. No. 2116 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(P.P. Bhatt, J.)

Anu/-

