

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A No. 4842 of 2013

Shankar Lal Gupta @ Gauri
Versus

..... Petitioner

The State of Jharkhand

..... Opposite Party

CORAM: HON'BLE MR. JUSTICE APARESH KUMAR SINGH

For the Petitioner : Mr. Indrajit Sinha, Advocate
For the State : A.P.P.

02/31.5.2013 Heard counsel for the petitioner as well as learned A.P.P. appearing for the State.

The petitioner is in custody in connection with Lalpur P.S. Case No. 111 of 2013 corresponding to G.R. No. 2219 of 2013 registered under Sections 147, 149, 341, 323, 186, 216, 224, 225, 353 of the Indian Penal Code.

The allegation against the petitioner is that he obstructed the police in arrest of one Rahul Gupta, who is an accused for the offence registered under Sections 354, 354(A), 354(B) of the Indian Penal Code. It is submitted that all the aforesaid offences are bailable in nature including the offences indicated under Sections 224 and 225 except under Section 353 of I.P.C. However, it is submitted that though Section 353 has been added in the F.I.R. but there are no allegations of assault or use of criminal force on the police force by these persons. It is further submitted that the accused namely Rahul Gupta connected in Lalpur P.S. Case No. 110 of 2013 has subsequently surrendered after two days of the incidence on 6.5.2013. Accordingly, the prayer for bail has been made on behalf of the petitioner who along with three other named and 20 -25 persons are implicated in the F.I.R.

Learned counsel for the State, however, opposes the prayer for bail submitting that the petitioner has intentionally objected to the arrest of one Rahul Gupta by forming unlawful assembly and tried to rescue him.

However, in the facts and circumstances of the case, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Ranchi in connection with Lalpur P.S. Case No. 111 of 2013 corresponding to G.R. No. 2219 of 2013.

(Aparesh Kumar Singh, J.)