

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 1827 of 2016

Shambhu Yadav @ Shambhu Nath Yadav @ Shambhu Lal Yadav, son of
Ishwar Yadav, Sabladih, Bishugarh, Hazaribag **Petitioner**

-Versus-

The State of Jharkhand

..... **Opposite Party**

CORAM : HON'BLE MR. JUSTICE RATNAKER BHENGRA

For the Petitioner : Mr. Hemant Kr. Shikarwar, Advocate
For the State : APP

02/31.05.2016

Anticipatory bail application has been filed on behalf of petitioner namely, Shambhu Yadav @ Shambhu Nath Yadav @ Shambhu Lal Yadav who is apprehending his arrest in connection with Bishungarh P.S. Case no. 121 of 2009 corresponding to G.R. case no. 2596 of 2009, T.R. No. 3005 of 2014 for the offence registered u/s 143, 341, 353, 186, 290 of the Indian Penal Code.

Heard both sides.

Learned counsel for the petitioner has submitted that the allegation is that the informant of Bishungarh P.S. Case No. 118 of 2009 along with his associates had blocked the Bagodar Hazaribag road and Gomiya Road. The S.I., Officer-in-Charge of Bishungarh P.S. along with the police personnel reached there and found the road was blocked by the mob, due to which the traffic was disrupted. As per the prosecution case, local chowkidar identified the petitioner Shambhu Yadav and 10 others accused persons in the mob, who were involved in the alleged road jam. When the police tried to clear the jam, the mob started raising slogans against the police and they also obstructed the police from discharging their duty. The learned counsel for the petitioner also stated that except for the other sections relevant section is Section 353 and that also is not made out since the allegation of criminal force is not used. They have not used any criminal force in obstructing the police rather they have only raised slogans. However, he had stated in paragraph no. 12 that three persons have already been granted privilege of anticipatory bail in A.B.A. No. 3580 of 2012 by order dated 20.12.2013.

Learned counsel for the State has submitted that there is specific allegation against the petitioner and he was identified by the chowkidar along with 10 other persons who were involved in blocking and obstructing the police from discharging their duty, cannot be ruled out.

Having heard counsel for both sides and considering the facts and circumstances of the case, the petitioner above named is directed to surrender in the court below within three weeks from today and in the event of his arrest/surrender, the court below is directed to enlarge him on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M, Hazaribag in connection with Bishungarh P.S. Case no. 121 of 2009 corresponding to G.R. Case no. 2596 of 2009, T.R. No. 3005 of 2014 subject to the conditions as laid down under section 438 (2) of the Code of Criminal Procedure.

(Ratnaker Bhengra, J.)

Tanuj/