

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 1825 of 2016

1. Naval Dubey @ Nawal Dubey, son of Jugan Dubey
2. Bitu Dubey, son of Surendra Dubey
Both residents of village-Murma, Padwa, Palamau

..... **Petitioners**

-Versus-

The State of Jharkhand

..... **Opposite Party**

CORAM : HON'BLE MR. JUSTICE RATNAKER BHENGRA

For the Petitioners : Mr. A. Kashyap, Advocate
For the State : APP

02/31.05.2016

Anticipatory bail application has been filed on behalf of petitioners namely, Naval Dubey @ Nawal Dubey and Bitu Dubey who are apprehending their arrest in connection with Pandwa P.S. Case no. 9 of 2016 corresponding to G.R. Case no. 308 of 2016 for the offence registered u/s 147/148/149/341/ 324/307/379/504 of the Indian Penal Code.

Heard both sides.

Learned counsel for the petitioners has submitted that as per the allegations of the informant, accused persons have prohibited and assaulted informant and Jayanti Devi while she had gone to fetch water from the government hand pump. However, the learned counsel for the petitioners submitted that there is no direct allegation of assaulting against the petitioners. The assault has been made by Shani Dubey, Birendra Dubey, Surendra Dubey and Lalo Dubey that is apparent from the fardbeyan itself and even Shani Dubey has snatched golden chain from Jayanti Devi and it is also apparent that the petitioners were not armed and others were armed.

Learned counsel for the State has submitted that although there is no direct allegation against the petitioners but they are part and parcel of assaulting groups who are prohibiting the informant from taking water from the government hand pump.

Having heard counsel for both sides and considering the facts and circumstances of the case, the petitioners above named are directed to surrender in the court below within three weeks from today and in the event of their arrest/surrender, the court below is directed to enlarge them on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Palamau at Daltonganj in connection with Pandwa P.S. Case no. 9 of 2016 corresponding to G.R. Case no. 308 of 2016, subject to the conditions as laid down under section 438 (2) of the Code of Criminal Procedure.

(Ratnaker Bhengra, J.)

Tanuj/