

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2426 of 2017

1. Bindeshwar Kumar Thakur @ Bindeshwar Thakur
2. Pawan Kumar Thakur @ Pawan Thakur
3. Subodh Kumar Thakur @ Subodh Thakur ... Petitioner(s)
Versus
The State of Jharkhand ... Opp. Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner(s) : Mr. Anil Kumar Ganjhu, Adv.
For the State : Addl. P.P.

03/30.06.2017 Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Balumath P.S. Case No. 03 of 2017 (G.R. No. 10 of 2017) registered under sections 147, 148, 323, 324, 325 and 307 of the Indian Penal Code.

Heard learned counsel appearing for the petitioner and the learned Addl. P.P. for the State.

The learned counsel for the petitioners submits that the petitioner no.2 Pawan Kumar Thakur @ Pawan Thakur has already been arrested by police; therefore, he does not press the prayer for anticipatory bail on behalf of petitioner no.2.

Hence, the prayer for anticipatory bail of petitioner no.2 namely Pawan Kumar Thakur @ Pawan Thakur is rejected as not pressed.

The learned counsel for the petitioners, further, submits that the allegations against the petitioners are that the petitioners along with other co-accused persons assaulted the informant by which the informant sustained injury on his head. The allegations are all false and there is land dispute between the petitioners and the informant's family. For the same occurrence, the father of the petitioner no.2 lodged an F.I.R basing upon which Balumath P.S. Case No. 04/2017 has been registered. The learned counsel, further, submits that the petitioner is ready and willing to pay the ad interim victim compensation to the informant without prejudice to their

defence in the case. Hence, the petitioners be given the privilege of anticipatory bail.

The learned Addl. P.P. opposes the prayer for bail but conceded that the injuries sustained by the informant are simple in nature.

Considering the submissions of the counsels and the fact as discussed above, I am inclined to grant privileges of anticipatory bail to the petitioners Bindeshwar Kumar Thakur @ Bindeshwar Thakur and Subodh Kumar Thakur @ Subodh Thakur. Hence, in the event of their arrest or surrender within a period of four weeks from the date of this order, they shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Latehar, in connection with Balumath P.S. Case No. 03 of 2017 (G.R. No. 10 of 2017) and depositing Rs. 10,000/- each as ad interim victim compensation to be paid to the to the victim- Kashinath Thakur, subject to the conditions laid down under section 438 (2) Cr. P.C..

In case, the petitioners deposit the ad interim victim compensation amount in the court of learned Chief Judicial Magistrate, Latehar, the court is directed to issue notice to the victim- Kashinath Thakur and release the said amount in his favour forthwith, after proper identification.

(Anil Kumar Choudhary, J.)

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