

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No.4176 of 2018

Khiriya Devi                    ...                    ...                    ...                    ...                    ...                    Petitioner

Versus

The State of Jharkhand                    ...                    ...                    ...                    ...                    ...                    Opposite Party

With

B.A. No.4203 of 2018

Kedar Yadav                    ...                    ...                    ...                    ...                    ...                    petitioner

Versus

The State of Jharkhand                    ...                    ...                    ...                    ...                    ...                    Opposite Party

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CORAM    : HON'BLE MR. JUSTICE KAILASH PRASAD DEO

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For the Petitioner(s):                    M/s. H.K. Shikarwar, Advocate

For the State:                                Mr. S.K. Pandey, A.K. Pandey, A.P.P.

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Order No. 02                    Dated : 31.05.2018

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners have prayed for grant of regular bail in connection with Barkatha P.S. Case No. 114 of 2015, corresponding to G.R. No.4444 of 2015, registered under Sections 341, 323, 420, 468, 471, 379, 504/34 of the Indian Penal Code.

Since both the bail applications are arising out of the same F.I.R., they are being taken up together and disposed of by this common order.

Learned counsel for the petitioners has submitted that all the petitioners have been granted anticipatory bail on a condition of depositing Rs.20000/-, but because of their poor financial condition, they could not deposit the said amount and they surrendered before the trial Court on 08.05.2018 and since then they are in custody. Learned counsel for the petitioners has submitted that the case is of civil dispute for which Title Suit is pending for the same piece of land. Learned counsel for the petitioners has submitted that petitioner Kedar Yadav had executed a sale deed in favour of his wife Khiriya Devi and he has more share in the land and as such, no offence under Sections 420, 468 or 471 of the I.P.C. can be said to be made out against the petitioners.

Learned A.P.P. has opposed the prayer for bail but has submitted that there is land dispute between the parties and there is a Title Suit pending before the Court below.

Be that as it may, since the petitioners have been granted anticipatory bail by a Coordinate Bench of this Court on a condition to deposit Rs.20000/- which they could not deposit due to their poor financial condition; the petitioners, named above, are directed to be released on bail on their furnishing bail bond of Rs.10000/- (Rupees Ten Thousand) each with two sureties of the like amount each, to the satisfaction of Ms. Meenakshi Mishra, learned Judicial Magistrate, Hazaribagh, in connection with Barkatha P.S. Case No. 114 of 2015, corresponding to G.R. Case No.4444 of 2015.

Manoj/-

(Kailash Prasad Deo, J)