

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3488 of 2019

1. Amana Khatoon
2. Shahzad Mian
3. Shahzadi Khatoon
4. Sazara Khatoon @ Shahidan Khatoon
5. Idrish Ansari @ Md. Idrish

..... **Petitioners**

Versus

... **Opposite Party**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioners : Mr. Sahadeo Choudhary, Advocate
For the Opp. Party : Mr. Ravi Prakash, A.P.P.

02/28.05.2019 Heard Mr. Sahadeo Choudhary, counsel appearing for the petitioners.

2. Heard Mr. Ravi Prakash, counsel appearing on behalf of the opposite party- State of Jharkhand.

3. This anticipatory bail application has been filed by the petitioners, who are apprehending their arrest in connection with Barkatha P.S. Case No. 58/17 dated 06.04.2017, corresponding to G.R. Case No. 997/17 for alleged offence under Sections 147, 148, 149, 188, 323, 337, 341, 342, 406, 435, 307, 436, 153(A) and 120(B) of the Indian Penal Code, which is now pending in the learned court of J.M. 1st Class, Hazaribag.

4. Counsel for the petitioners submits that so far as the allegation against the petitioners is concerned, there is an allegation of violation of prohibitory order and general allegations have been made in connection with the petitioners and others regarding throwing of stone at the police party. He submits that some of the co-accused persons were arrested on the spot, but so far as the petitioners are concerned, the petitioners have been falsely implicated. He also submits that some of the co-accused persons, who had also violated the prohibitory orders and were named in the F.I.R., have been granted anticipatory bail by this Court in A.B.A. No. 6982 of 2017 and A.B.A. No. 1941 of 2018.

5. Counsel for the opposite party, on the other hand, submits that the allegation against the petitioners is serious and they do not deserve the privilege of anticipatory bail.

6. This Court finds that general allegations have been levelled against the petitioners regarding the violation of prohibitory order and throwing stone at the police party and considering the fact that a number of co-accused have been granted anticipatory bail by this Court, this Court is inclined to enlarge the petitioners on anticipatory bail. The petitioners, above named, are directed to surrender in the court below by 15th June, 2019 and in the event of their arrest/surrender, the learned Court below is directed to enlarge them on bail upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned J.M. 1st Class, Hazaribag, in connection with Barkatha P.S. Case No. 58/17 dated 06.04.2017, corresponding to G.R. Case No. 997/17, subject to the condition laid down under Section 438(2) of the Cr. P.C. as well as the on the following conditions:

- (i) The petitioners will fully co-operate with the investigation of the case and also attend the court on each and every date. It is also made clear that on account of even single default, the bail bond of the petitioners will be cancelled.
- (ii) Both the bailers should be close family members of the petitioners.

7. This anticipatory bail application is allowed with the aforesaid conditions.

(Anubha Rawat Choudhary, J.)

Pankaj