

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 5713 of 2019**

Deben @ Deben Gope ... Petitioner
Versus
The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. M.K. Dash, Advocate
For the State : Mr. S. Verma, Addl. P.P.

Order No.03 Dated- 29.08.2019

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with S.T. Case No.318 of 2019 arising out of Dhalbhumgarh P.S. Case No.18 of 2019 (G.R. No. 88 of 2019) registered under sections 414 of the Indian Penal Code and under Section 33/41/42 of the Indian Forest Act.

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

The Learned counsel for the petitioner submits that the allegation against the petitioner is that police seized the truck transporting stolen logs of wood from the forest area. It is further submitted that the allegation against the petitioner are all false and the petitioner is the driver of the seized truck and fled away from the place of occurrence. It is next submitted that the petitioner has no criminal antecedent as has been mentioned in paragraph no. 10 of the anticipatory bail application. It is then submitted that the petitioner is ready and willing to furnish sufficient security including cash security and undertakes to cooperate with the investigation of the case. It is lastly submitted that the co-accused person whose case stands on the similar footing has already been given the privilege of anticipatory bail by this Court vide order dated 13.08.2019 in A.B.A. No.5445 of 2019. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of four weeks from the date of this order, he shall be released on bail on depositing cash security of Rs.10,000/- an on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Ghatsila, in connection with S.T. Case No.318 of 2019 arising out of Dhalbhumgarh P.S. Case No.18 of 2019 (G.R. No. 88 of 2019) with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

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