

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.207 of 2020

1. Uma Saw @ Umashankar Saw
2. Manoj Saw @ Manu Saw Petitioners
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Pradeep Kumar, Advocate
For the State : Mr. Ram Prakash Singh, A.P.P

Order No.02 Dated- 31.01.2020

Apprehending their arrest in connection with G(Forest) Case No. 336 of 2015 instituted under Sections 33 of the Indian forest Act, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Heard learned counsel appearing for the petitioners and learned A.P.P appearing for the State.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners were digging the earth with the JCB machine for giving foundation of their house and seeing the forest officials they fled away from there. It is submitted that the allegation against the petitioners is false. Drawing attention of this Court towards para-15 of the instant anticipatory bail application, learned counsel for the petitioners submits that the petitioners have no criminal antecedent. It is next submitted by the learned counsel for the petitioners that they undertake that they will not carry out any construction nor will go to or near the place of the occurrence during the pendency of the case. It is lastly submitted that the petitioners are ready and willing to furnish sufficient security including cash security. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned A.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned Judicial Magistrate, 1st Class, Hzaribag within four weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on depositing **Rs.5,000/-(Rupees five thousand) each as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two

sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Hzaribag in connection with G(Forest) Case No. 336 of 2015 and **subject to the conditions that the petitioners will not carry out any construction nor will go to or near the place of the occurrence during the pendency of the case** and other conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)

Pappu/