

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**Cr.M.P. 1986 of 2020**

1. Chhotu Mian @ Ayaj Alam, aged about 35 years, son of Fajale Karim @ Jumrati Mian

2. Jalil Mian, aged about 33 years son of late Salamat Mian

3. Khurshid Mian, aged about 31 years, son of Jalil Mian

All are residents of village Bakoria, PO and PS Satbarba, District-Palamau, (Jharkhand)

.....Petitioners

**Versus**

The State of Jharkhand

..... Opposite Party

**CORAM: HON'BLE MR. JUSTICE RATNAKER BHENGRA**

For the Petitioners : Mr. Vijay Shankar Prasad, Advocate

For the O.P. : Mr. Ashok Singh, A.P.P.

**02/Dated: 27/11/2020**

This Cr.M.P. has been filed for modification of order dated 07.08.2020 passed in ABA No. 871 of 2020 granting anticipatory bail to the petitioners and directing them to deposit three demand drafts of Rs. 10,000/- each as aid interim victim compensation within a period of four weeks.

Learned counsel for the petitioners submitted that the petitioners are the simple Dihari Labourers and working under the Owner of Crusher, namely, Prayag Saw and Md. Fajale Karim, who are the named accused in this case. It also transpires from the FIR and the impugned order that petitioners were simple labourers and they were breaking the stone in pursuance of the direction of the named accused at the place of occurrence. Learned counsel for the petitioners further submitted that the other co-accused persons have been granted anticipatory bail vide ABA No. 7783 of 2019 and ABA No. 7806 of 2019. It is also submitted that the petitioners are the Red Card Holders issued by the State Government itself. They are facing starvation in these days due to outbreak of COVID-19 and Lock down due to which they could not deposit Demand Draft of Rs. 10,000/- within time. Therefore, they may be exempted from depositing the same.

Learned counsel for the State opposed the petition.

In view of above, order dated 07.08.2020 passed in ABA No. 871 of 2020 is being modified to the extent that petitioners are exempted from depositing three demand drafts of Rs. 10,000/- each as ad-interim victim compensation without prejudice to their defence in this case drawn in favour of the victims, namely, Arjun Oraon, Nand

Deo Oraon and Yugeshwar Singh and the petitioners are further directed to surrender in the Court of learned Chief Judicial Magistrate, Latehar in connection with Manika P.S. Case No. 37 of 2019 within two weeks from the date of receipt of copy of this order.

The order dated 07.08.2020 passed in A.B.A. No. 871 of 2020 is modified to the aforesaid extent. The other conditions passed on 07.08.2020 in A.B.A. No. 871 of 2020 shall be intact.

The instant Cr.M.P. stands disposed of.

**(Ratnaker Bhengra, J.)**

Sharda/KNR