

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 7325 of 2021

1. Rajendra Singh
2. Kartik Singh @ Karti Singh
3. Gulabi Singh @ Gulab Singh

...

Petitioners

Versus

The State of Jharkhand

...

Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Randhir Kumar, Advocate

For the State : Mr. P.K. Chatterjee, Spl. P.P.

Order No.02 Dated- 30.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioners personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioners, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Complaint Case No.1305 of 2019 registered under sections 26(i)(d)/42 of the Indian Forest Act and under sections 27/29/09/51 of the Wild Life Protection Act, 1972.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners hunted the wild boar from the protected forest area and cut the flesh causing loss to the tune of Rs.25,000/- to the Forest Department. It is then submitted that the petitioners are ready and willing to jointly deposit Rs.25,000/- with the Deputy Commissioner, Koderma without prejudice to their defence in this case, subject to final decision of the case and undertake to cooperate with the trial of the case. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Spl. 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 petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of twelve weeks from the date of this order, they shall be released on bail on showing the proof of jointly depositing Rs.25,000/- with Deputy Commissioner, Koderma without prejudice to their defence in this case, subject to final decision of the case 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, Koderma in connection with Complaint Case No.1305 of 2019 with the condition that the petitioners will cooperate with the trial of the case subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioners jointly deposit Rs.25,000/- with Deputy Commissioner, Koderma, learned trial court will pass an appropriate order regarding the same at the time of conclusion of trial.

In case the petitioners tenders the said amount the Deputy Commissioner, Koderma is directed to receive the same.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-