

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 5770 of 2023

Janardhan Kumar Mahto .... Applicant(s)

Versus

The State of Jharkhand .... Opp. Party

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CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

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For the Applicant(s) : Mr. Ashish Kumar, Advocate

For the State : Ms. Amrita Kumari, A.P.P.

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04/31.08.2023: Heard the parties.

2. The applicant(s), who is an accused for the offence under Sections 272/273/328/34 IPC and Section 47A of the Excise Act, prays for anticipatory bail expressing apprehension of arrest in connection with Godda (Town) P.S. Case No.42 of 2023, pending in the court of CJM, Godda.

3. Innocence has been claimed and undertaking has been given to co-operate with the Investigating Agency/ Trial. It has been submitted that except confession, there is no other material against this applicant. He has no criminal antecedent. On the above basis, prayer for anticipatory bail has been made.

4. On the other hand, learned A.P.P. has opposed the prayer for anticipatory bail of the applicant (s) and it has been submitted that huge quantity of liquor has been recovered from the possession of co-accused and they have taken the name of this applicant.

5. Considering the recovery, I am not inclined to grant privilege of anticipatory bail to the applicant(s).

6. Accordingly, prayer for anticipatory bail of the applicant(s) is, hereby, rejected.

7. However, if the applicant(s) surrenders and pray(s) for regular bail, the same be disposed of after taking into consideration the submission advanced herein, without being prejudiced by the order of this Court.

(Rajesh Kumar, J.)