

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 9072 of 2023

1. Chandradeo Kumar @ Chandra Shekhar Yadav
2. Vivek Yadav @ Vivek Kumar
3. Raju Sao @ Rajesh Kumar Raju
4. Manoj Kumar @ Manoj Saw @ Manoj Sao
5. Vijay Saw @ Vijay Kumar Prasad @ Vijay Sao @ Vijay Sao Prasad
6. Prakash Sao @ Omprakash Prasad

... Petitioners

Versus

The State of Jharkhand

...

Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Prashant Kr. Rahul, Advocate

For the State : Mrs. Kumari Rashmi, Addl. P.P.

Order No.02 Dated- 31.10.2023

Heard the parties.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Bariyatu P.S. Case No.43 of 2023 registered under sections 147/148/149/341/342/323/353/333/427/504/506 of the Indian Penal Code.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners were the members of an unlawful assembly and in prosecution of common object of the assembly used criminal force against the public servant-police personnel and deterred them from discharging their duty by trying to snatch away the AK -47 firearm and attempted to tear the uniform of the police personnel. It is further submitted that the allegations against the petitioners are all false. It is then submitted that the petitioners undertake to furnish sufficient security including cash security and also undertake to cooperate with the investigation of the case and further undertake that they will not annoy or disturb the informant or the police personnel in any manner during the pendency of the case. Hence, it is submitted that the petitioners 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 petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of eight weeks from the date of this order, they shall be released on bail on depositing cash security of Rs.10,000/- each and on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Latehar, in connection with Bariyatu P.S. Case No.43 of 2023 with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile number and a copy of their Aadhar Card in the court below with the undertaking that they will not change their mobile number during the pendency of the case with further condition that they will not annoy or disturb the informant or the police personnel in any manner during the pendency of the case and subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-