

(2021) 04 JH CK 0051
In the Jharkhand High Court
Case No : A.B.A. No. 1464 Of 2021

Arif Khan @ Tinku @ Tinku Khan

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 07-04-2021

Acts Referred:

Indian Penal Code, 1860 — Section 307, 353, 427
Jharkhand Bovine Animal Prohibition of Slaughter Act, 2005 — Section 12(1)(2)(3), 13
Prevention of Damage to Public Property Act, 1984 — Section 3
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2021) 04 JH CK 0051

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Kripa Shankar Nanda, P.K. Chatterjee

Final Decision : Allowed

Judgement

Heard the parties through video conferencing.

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

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

Apprehending his arrest in connection with Gola P.S. Case No. 86 of 2020 instituted under Sections 427, 353, 307 of the Indian Penal Code and under Section 12(1)(2)(3) & 13 of Jharkhand Bovine Animal Prohibition of Slaughter Act, 2005 and Section 3 of Prevention of Damage to Public Property Act, 1984, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner is the owner of the vehicle which was loaded with bovine animal which were being taken for slaughtering illegally. It is submitted that the allegation against the petitioner is false. It is also submitted

that the petitioner undertakes that he will not annoy or disturb the informant in any manner during the pendency of the case. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and to furnish sufficient security including cash security. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court of learned J.M. Ramgarh within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on depositing Rs.30,000/-(Rupees thirty thousand) as cash security and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ramgarh in connection with Gola P.S. Case No. 86 of 2020 with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case and with the condition that the petitioner will not annoy or disturb the informant in any manner during the pendency of the case subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.