
(2021) 04 JH CK 0224
In the Jharkhand High Court
Case No : A.B.A. No. 1771 Of 2021

Ashok Soni And Ors

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 20-04-2021

Acts Referred:

Indian Penal Code, 1860 — Section 147, 307, 323, 341
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2021) 04 JH CK 0224

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Final Decision : Allowed

Judgement

The matter is taken up through video conferencing. No one turns up on behalf of the parties.

The petitioners are directed to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Gumla P.S. Case No.147

of 2017 (G.R. No.471 of 2017) registered under sections 147/341/307/323 of the Indian Penal Code. Perusal of the record reveals that the allegation

against the petitioners is that the petitioners along with the co-accused persons assaulted the victims namely Animesh Kumar, Aniket Kumar and

Hariom Sudhanshu causing injuries to them. It is, further, averred that the allegations against the petitioners are all false and there was a free fight

between the parties and for the selfsame occurrence from the side of the petitioners also Gumla P.S. Case No. 146 of 2017 has first been lodged and

as a counter blast of the same, this false case has been foisted against the

petitioners. It is next averred in the anticipatory bail application that the petitioners are ready to abide by any terms and conditions imposed upon them by this Court in the event of granting anticipatory bail and co-accused person has already been given the privilege of anticipatory bail by this Court vide order dated 31.07.2019 in A.B.A. No.5144 of 2019.

Considering the facts of the case, 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 six weeks from the date of this order, they shall be released on bail on depositing

Rs.30,000/- each i.e. three separate demand drafts of Rs.30,000/- each drawn in favour of each of the victims namely Animesh Kumar, Aniket

Kumar and Hariom Sudhanshu as ad interim victim compensation 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 Chief Judicial Magistrate, Gumla, in connection with Gumla P.S. Case No.147

of 2017 (G.R. No. 471 of 2017) 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 numbers and a copy of their Aadhar Cards in the court below with the

undertaking that they will not change their mobile numbers during the pendency of the case with further condition that they will not annoy or disturb

the victims in any manner during the pendency of the case and subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioners deposit the ad interim victim compensation amount, the court below is directed to issue notice to the victims namely Animesh

Kumar, Aniket Kumar and Hariom Sudhanshu and hand over the said demand drafts to them, after proper identification.