
(2021) 04 JH CK 0009
In the Jharkhand High Court
Case No : A.B.A. No. 1330 Of 2021

B. S. Sahu @ Bias Sahu And Ors

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 05-04-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 307, 323, 341, 504, 506
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2021) 04 JH CK 0009

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Vikas Kr., Suraj Verma

Final Decision : Allowed

Judgement

Heard the parties through video conferencing. Apprehending their arrest in connection with Kairo P.S. Case No.37 of 2020 instituted under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners, in furtherance of their common intention, attempted to murder Durga Sahu. It is submitted that the allegation against the petitioners is false. It is next submitted that for the self-same occurrence, the petitioners also lodged Kairo P.S. Case No.38 of 2020. It is then submitted that the petitioners undertake that they will not disturb or annoy the informant or any of her family members in any manner during the pendency of the case. It is lastly submitted that the petitioners are ready and willing to co- operate with the investigation of the case and to jointly pay ad interim victim compensation of Rs.10,000/- without prejudice to their defence in this case in favour of the informant. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned Spl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned S.D.J.M., Lohardaga within six weeks from today and in the event of their arrest or surrendering, the petitioners will be enlarged on bail on jointly depositing a demand draft of Rs.10,000/- as ad interim victim compensation without prejudice to their defence in this case drawn in favour of the informant and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount to the satisfaction of learned S.D.J.M., Lohardaga in connection with Kairo P.S. Case No.37 of 2020 with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case and they will not disturb or annoy the informant or any of her family members in any manner during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioners deposit the said demand draft, the court below is directed to issue notice to the informant and on her proper identification, the court below shall handover the same to her forthwith.