
(2021) 01 JH CK 0097
In the Jharkhand High Court
Case No : A.B.A. No. 6274 Of 2020

Bipin Prasad And Ors

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 08-01-2021

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 384, 385, 387, 390, 392, 448, 503, 504, 511
Code Of Criminal Procedure, 1973 — Section 438

Citation : (2021) 01 JH CK 0097

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Advocate : Suresh Nand Tiwary, Praveen Kr. Appu

Judgement

Learned counsel for the petitioners Mr. Suresh Nand Tiwary undertakes to remove the remaining surviving defects as under within a period of two weeks:

4. Rs.20 is due. 9(vii). Affidavit is older than three weeks.

Petitioners seek protection of anticipatory bail in terms of Section 438 Cr.P.C in connection with Nagri P.S. Case No. 212 of 2019 arising out of

Complaint Case No. 1434 of 2016 for the offence registered under Section 390,392,384,385,387,503,448,511 and 120B of the I.P.C pending in the court of Judicial Magistrate, Ranchi.

Learned counsel for the petitioners submits that the instant complaint case no. 1434 of 2016 leading to the present F.I.R being Ranchi(Sadar) Nagri

P.S. Case No. 212 of 2019 is a counter blast of the complaint case no. 58 of 2016 instituted by the petitioner no.1 against the informant -complainant

Nipun Mrinal and two others i.e., father of the informant and one Kaushal Kishore. The complaint lodged by the petitioner no.1 has been registered as

F.I.R being Nagri P.S. Case No. 142 of 2016 in which charge-sheet has been submitted against three accused persons under Section 504 of the

I.P.C. The present complaint / F.I.R has been instituted on concocted allegation in relation to a land dispute alleging 'rangdari' and threats to life upon

the informant party. The whole dispute relates to a claim of the informant over plot no. 56 of Khata no. 117 relating to retail outlet of Bharat

Petroleum over the said plot. Other petitioner no. 2 to 5 are witnesses to the F.I.R instituted on the complaint of the petitioner no.1 and one of them is

his brother namely Vijay Prasad. Petitioners would be unnecessarily subjected to incarceration if the protection of anticipatory bail is not granted under

Section 438 Cr.P.C.

Let the informant be impleaded as opposite party no.2 in the instant petition for which necessary addition be carried out by learned counsel for the

petitioner within one week. On requisition being made, office to place the file for inspection and removal of defects as well as addition of the party

within the time indicated herein above.

Issue notice upon the opposite party no.2 under registered cover with A/D ; speed post as well as through the Officer In-charge of the Nagri Police

Station, Sadar, Ranchi for which requisites etc. must be filed within one week. In case requisites are not filed within this period, Office to place the

matter immediately before the Bench.

Let the matter be listed on 05.02.2021. In the meantime, no coercive steps be taken against the petitioners in connection with Nagri P.S. Case No. 212

of 2019 arising out of Complaint case No. 1434 of 2016 pending in the court of learned Judicial Magistrate, Ranchi.