

(2020) 10 JH CK 0093
In the Jharkhand High Court
Case No : A.B.A.No. 1741 of 2020

Dinesh Tana Bhagat And Anr

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 03-10-2020

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 385, 386, 397
Criminal Law Amendment Act, 1932 — Section 17(i) ii)
Unlawful Activities (Prevention) Act, 1967 — Section 16, 17, 20, 23
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 10 JH CK 0093

Hon'ble Judges : Dr. S. N. Pathak, J

Bench : Single Bench

Advocate : Sabyasanchi, Arun Kumar Pandey

Judgement

In view of outbreak of COVID-19 pandemic, case has been taken up through

Video Conferencing. Concerned lawyers have no objection with regard to the proceeding, which has been held through Video Conferencing today at 10:30 A.M. onwards. They have no complaint in respect to the audio and video clarity and quality.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Piparwar P.S. Case No.36 of 2019 for the offence registered under Sections 385/386/397/120(B) of the Indian Penal Code, Section 17(i) (ii) of the C.L.A. Act and Section 16,17,20,23 of UAP Act.

Heard the learned Counsel for the petitioners and the learned Counsel for the State.

Learned Counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. They have never demanded any levy amount from the person. The names of the petitioners have come from the

confessional statement of arrested co-accused. Nothing incriminating material has been recovered or seized from their person or house. They are CCL employees and has no concern with any extremist organization or any co-accused persons. The petitioners have got no criminal antecedent. Hence, the petitioners may be given the privilege of anticipatory bail.

Learned Counsel for the State opposed the prayer for grant of anticipatory bail.

Considering the facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners. Hence, in the event of arrest by the police or surrender before the learned court below within a period of four weeks from the date of this order, the petitioners, named above, shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty thousand) each with two sureties of like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Chatra in connection with Piparwar P.S. Case No. 36 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.