
(2021) 02 JH CK 0083
In the Jharkhand High Court
Case No : A.B.A. No. 1675 Of 2020

Mangal Lakra And Ors

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

Date of Decision : 10-02-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 437(3), 439
Indian Penal Code, 1860 — Section 34, 176, 201, 304B, 498A

Citation : (2021) 02 JH CK 0083

Hon'ble Judges : Mahendar Kumar Goyal, J

Bench : Single Bench

Advocate : Neeraj Sharma, Laxman Meena

Final Decision : Allowed

Judgement

Heard Mr. Alok Lal, learned counsel for the petitioners and Md. Hatim, learned A.P.P. for the State. None appears on behalf of the opposite party

no. 2 in spite of valid service of notice.

The petitioners have prayed for grant of anticipatory bail, as they are apprehending their arrest in connection with Chutia P.S. Case No. 135 of 2019, arising out of Complaint Case No. 187 of 2019.

It has been alleged that the accused persons on the basis of false genealogical table of Jhari Oraon had entered into an agreement for sale of land and

had taken money from various persons. When the informant had restrained the accused persons not to indulge in such activity he was subjected to threats.

Submission has been advanced by the learned counsel for the petitioners that there is a land dispute going on between the parties which has resulted in

institution of two suits being Original (Partition) Suit No. 01 of 2017 and Original (Title) Suit No. 202 of 2017. It has been stated that the petitioners

had two cases pending against them and in both of the said cases the petitioners have already been acquitted. Learned counsel, therefore, submits that

only in order to pressurize the petitioners to withdraw the suits the present First Information Report has been instituted.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

The dispute primarily appears to be with respect to sale of land to various persons by the petitioners and it has been claimed by the informant that such

sale of land was without a valid sanctity of law as the petitioners did not have any right title and ownership over the lands in question. However, it

appears that with respect to the same piece of land two suits have been instituted in which the informant is the adversary to the petitioners.

Thus it appears that primarily on account of the land dispute existing between the parties and for which resort was taken to filing of suits much prior to

institution of the First Information Report, I am inclined to extend the privilege of anticipatory bail to the petitioners. The petitioners accordingly are

directed to surrender before the learned court below within a period of four weeks and on their surrender, they shall be released on bail on furnishing

bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial

Magistrate, Ranchi in connection with Chutia P.S. Case No. 135 of 2019, arising out of Complaint Case No. 187 of 2019, subject to the conditions as

laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.