
(2020) 11 JH CK 0110
In the Jharkhand High Court
Case No : A.B.A. No. 5722 Of 2020

Marool Ansari @ Majrul Ansari @ Majrool Ansari	APPELLANT
Vs	
State Of Jharkhand	RESPONDENT

Date of Decision : 10-11-2020

Acts Referred:

Indian Penal Code, 1860 — Section 392, 395, 412

Citation : (2020) 11 JH CK 0110

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Prakash Kumar, Shweta Singh

Judgement

Heard the parties through video conferencing. Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the

stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Garhwa P.S. Case No.854 of

2019 registered under sections 392/395/412 of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner along with co- accused persons on

21.12.2019 at 12:00 am has committed a dacoity and looted 30 tons of jaggery loaded in a truck after overpowering the driver of the truck at the point

of pistol and making him sit in the Scorpio vehicle which was hired by the petitioner along with the co-accused persons for the purpose of dacoity. It is

further submitted that the allegations against the petitioner are all false and the

petitioner is not named in the FIR and on the basis of confessional statement, the petitioner has been implicated in this case. It is next submitted that the loaded vehicle has been recovered on the same day along with jaggery thereon. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. on the other hand vehemently opposes the prayer for grant of anticipatory bail and submits that there is specific allegation against

the petitioner that the petitioner is one of the member of the gang of dacoits who looted the truck loaded with jaggery and also looted Rs.4000/- from

the driver of the truck and mobile handset. It is next submitted by the learned Addl. P.P. that the petitioner is involved in another case of dacoity vide

Garhwa P.S. Case No.949 of 2019 and further he is involved in a case of preparation of dacoity and assembling for the purpose of dacoity vide

Garhwa P.S. Case No.1 of 2020 and also for the offence punishable under the Arms Act. It is then submitted that the custodial interrogation of the

petitioner is required during the investigation of the case for conducting T.I. Parade and finding out the details of the occurrence. Hence, it is

submitted that the petitioner ought not to be given the privilege of anticipatory bail.

Considering the serious nature of allegation against the petitioner of committing dacoity along with co-accused persons as well as his criminal

antecedent in similar type of cases and also requirement of his custodial interrogation during the investigation of the case, this Court is of the

considered view that this is not a fit case where the above named petitioner be given the privilege of anticipatory bail. Accordingly, his prayer for

anticipatory bail is rejected.