

(2020) 11 JH CK 0031
In the Jharkhand High Court
Case No : A.B.A. No. 5599 Of 2020

Pintu Rana And Ors

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 05-11-2020

Acts Referred:

Indian Forest Act, 1927 — Section 33
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 11 JH CK 0031

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Diwakar Jha, P.d. Agrawal

Final Decision : Allowed

Judgement

Heard the parties through Video Conferencing.

Mr. Diwakar Jha, learned counsel for the petitioners personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned counsel for the petitioners the defects pointed out by the Stamp Reporter are ignored for the present.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with G (F) case no. 1026 of 2020 registered under Sections 33 of the Indian Forest Act.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners have cut trees and were carrying wooden logs on bullock cart which were seized and on seeing the forest officials, they fled away. It is then submitted that the allegations against the petitioners are all false. It is next submitted that the petitioners are ready and willing to deposit Rs. 1,00,000/- jointly with the DFO, West Division, Hazaribag and they undertake

not to enter any forest land during pendency of the case hence, the petitioners be given the privilege of anticipatory bail.

The learned Addl. PP opposes the prayer for anticipatory bail of the petitioners.

Considering aforesaid 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 within a period of six weeks from the date of this order, the petitioners shall be released on bail on showing the proof the deposit of Rs. 1,00,000/- jointly with the DFO, West Division, Hazaribag and furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M., 1st class, Hazaribag in connection with G (F) case no. 1026 of 2020 subject to the condition that the petitioners will not enter any forest land during pendency of the case along with the other conditions laid down under section 438 (2) Cr. P.C.