
(2021) 04 JH CK 0132
In the Jharkhand High Court
Case No : A.B.A. No. 1861 Of 2021

Ram Pravesh Yadav And Ors

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 12-04-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 307, 323, 341, 448, 506
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2021) 04 JH CK 0132

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : A.K. Chaturvedy, Rajesh Kr. Singh, S.K. Srivastava

Judgement

Heard the parties through video conferencing. Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with R.I.T. P.S. Case No.181 of 2020 registered under sections 341/323/ 448/307/506/34 of the Indian Penal Code.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners in furtherance of common intention attempted to commit murder of the informant. It is further submitted that the allegations against the petitioners are all false and the matter has been settled between the parties and in this respect, the learned counsel for the petitioner draws the attention of this Court to annexure-2 at page nos. 14 of the brief which is the copy of a settlement agreement held between the parties in a Panchayati. It is next submitted that the petitioners are ready and willing to jointly pay Rs.10,000/- as ad interim victim compensation to the informant without prejudice to their defence in this case and undertake to cooperate with the investigation of the case and also undertake that they will not annoy or disturb the informant or his family members in any manner during the pendency of the case. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of six weeks from the date of this order, they shall be released on bail on jointly depositing a demand draft of Rs.10,000/- as ad interim victim compensation in favour of informant and on 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 Chief Judicial Magistrate, Seraikella, in connection with R.I.T. P.S. Case No.181 of 2020 with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile number and a copy of their Aadhar Card in the court below with the undertaking that they will not change their mobile number during the pendency of the case with further condition that they will not annoy or disturb the informant or his family members in any manner during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioners deposit the ad interim victim compensation amount, the court below is directed to issue notice to the informant and hand over the said demand draft to him, after proper identification.