

(2024) 01 JH CK 0046
In the Jharkhand High Court
Case No : A.B.A. No. 315 Of 2024

Umesh Prasad Yadav @ Umesh Yadav

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 22-01-2024

Acts Referred:

Criminal Law Amendment Act, 1932 — Section 17(i)(ii)
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2024) 01 JH CK 0046

Hon'ble Judges : Rajesh Kumar, J

Bench : Single Bench

Advocate : Mohammad Asghar, Sanjay Kumar Srivastava

Judgement

Rajesh Kumar, J

1. Heard the parties.

2. Apprehending his arrest, the applicant has approached this Court for grant of privilege of anticipatory bail, in connection with Tandwa P.S. Case No. 82 of 2018 corresponding to G.R. No.791 of 2018 registered for the offence under Sections 17(i)(ii) of the C.L.A. Act., pending in the court of learned Chief Judicial Magistrate, Chatra.

3. Innocence of the applicant has been claimed and undertaking has been given for co-operating with the investigating agency and participation in the trial. It has been submitted that the applicant has been roped in on the basis of confession of the co-accused Dwarika Kumar Singh and the said co-accused Dwarika Kumar Singh has already been enlarged on bail by the Co-ordinate Bench of this Court vide order dated 30.07.2018 passed in B.A. No. 6229 of 2018. Several other co-accused have also been enlarged on bail by this Court. Further, it has been submitted that earlier the applicant was a Para Teacher now he is working as an employee in Central Coalfield Limited. On the above basis, prayer for anticipatory bail has been made.

4. On the other hand, learned counsel for the State has opposed the prayer for anticipatory bail of the applicant.

5. Considering the above facts, I am inclined to grant the privilege of anticipatory bail to the applicant. Accordingly, the applicant is directed to surrender in the court below within four weeks from today and in the event of his arrest or surrender, the court below shall enlarge the applicant on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chatra in connection with Tandwa P.S. Case No. 82 of 2018 corresponding to G.R. No.791 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. Further, this applicant will submit self-attested photocopy of his Aadhaar Card and also submit his mobile number before the learned court below which he will always keep active and will not change it during pendency of this case without prior permission of the court.