

(2020) 10 JH CK 0089
In the Jharkhand High Court
Case No : A.B.A. No. 5343 of 2020

Vijay Dangi And Ors

APPELLANT

Vs

State of Jharkhand And Ors

RESPONDENT

Date of Decision : 21-10-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 120B, 323, 341, 420, 467, 468, 471, 504
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 10 JH CK 0089

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Nilendu Kumar, Bishambhar Shastri

Judgement

Heard the parties through video conferencing. Mr. Nilendu Kumar- learned counsel for the petitioners undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

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

Apprehending their arrest in connection with Rajpur P.S. Case No.03 of 2020 instituted under Sections 323, 341, 420, 467, 468, 471, 504, 120(B)/34 of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioner No.2 being the Swyam Sewika working in Kolhaiya Panchayat and the petitioner No.1 being the husband of the petitioner No.2, were involved in criminal conspiracy by which the benefit under Indira Aawas allotted to the informant was withdrawn by the co-accused persons. It is submitted that the allegation against the petitioners is false. It is then submitted that the matter has been settled between the parties and in this respect, learned counsel for the petitioners draws the attention of this Court towards copy of the

certified copy of the petition dated 20.03.2020 filed by the parties in the court of Sessions Judge, Chatra. It is also submitted that because of some misunderstanding this false case has been foisted against the petitioners. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned A.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned A.C.J.M., Chatra within six weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Chatra in connection with Rajpur P.S. Case No.03 of 2020 with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.