## IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No.5144 of 2023

Muneshwar Yadav

.... Petitioner

Versus

The State of Jharkhand

....Opposite Party

## Coram: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

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For the Petitioner : Md. Shadab Eqbal, Advocate

Md. Haroon Rasheed, Adv. Mr. Anshuman Om, Adv.

For the State : Mr. Jitendra Pandey, Addl.P.P

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## Order No.04 Dated- 24.11.2023

Heard learned counsel for the parties.

- 2. Apprehending his arrest in connection with Chandwa P.S. Case No. 143 of 2022 instituted under Sections 414/34 of the Indian Penal Code, the petitioner has moved this Court for grant of privilege of anticipatory bail.
- 3. As per F.I.R. allegation against the petitioner is of committing theft of iron scrap from Abhijit Power Plant, Chakla by his motorcycle bearing Registration No.JH-01CV-4815 which was found involved in transportation of the iron scrap.
- 4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence at all rather he has been falsely implicated in this case. It is further submitted that the FIR has been lodged against unknown person and he is not named in the FIR nor any specific allegation has been made against him. Co-accused with similar allegation has already been extended privilege of anticipatory bail by this Court vide order dated 22.08.2023 passed in A.B.A. No.3239 of 2023. Petitioner undertakes to co-operate with the investigation of the case and will not indulge in tampering with prosecution evidence and will abide by all terms and conditions imposed by this Court in the matter of granting anticipatory bail. Hence, it is submitted that the petitioner may be extended the privilege of anticipatory bail.
- 5. Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.
- 6. Considering the facts and circumstances of this case, the nature of allegation against petitioner coupled with materials available on record, I am inclined to extend privilege of anticipatory bail to the

petitioner. Accordingly, the petitioner is directed to surrender before the Court below within four weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on furnishing bail bond of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Latehar in connection with Chandwa P.S. Case No. 143 of 2022 with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his 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.

(Pradeep Kumar Srivastava, J.)

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