

IN THE HIGH COURT OF JHARKHAND AT RANCHI
ABA No. 6338 of 2023

1. Hopna Tudu
2. Naresh Tudu
3. Barsan Tudu ... Petitioners
Versus
The State of Jharkhand & Anr. ... Opposite Parties

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Abshishek Singh , Adv.
For the State : Mr. Sanajy Kr. Srivastava ,Addl. PP

03 / 21.09.2023 Heard the parties.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with PCR (C.C.) Case No. 302 of 2016 registered under Sections 302 / 34 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners have committed murder of the three years son of the informant - Sandeep Tudu. It is then submitted that the allegations against the petitioner are all false and the police after investigation did not send the petitioners for trial because of lack of evidence and upon the protest petitioners, learned, Magistrate, has taken cognizance for the offences punishable under Sections 302/ 34 IPC. It is further submitted by learned counsel for the petitioners that in his statement under Solemn Affirmation recorded upon Protest Petition, being filed by the informant, the informant - complainant has categorically stated that he has implicated the petitioners on the basis of the suspicion only and apart from that, there is no material in the record to implicate the petitioners in this case. It is next submitted that the petitioners are ready to co-operate with the trial 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 petitioner.

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 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 CJM, Pakur in connection with PCR (C.C.) Case No. 302 of 2016 subject to the condition that the petitioners will co-operate with the trial of the case along with the other conditions laid down under section 438 (2) Cr. P.C.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-