

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 7167 of 2022

1. Bajrang Sahu @ Bajrang Kumar Sahu
2. Abhishek Sahu @ Abhishek Kumar Sahu
3. Sumit Soni @ Sumit Kumar
4. Badal Soni @ Badal Kumar @ Ritesh Kumar Sahu **Petitioners**

Versus

The State of Jharkhand

.....**Opposite party**

CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioners : Mr. M.B. Lal, Advocate

For the State : Mr. Someshwar Roy, A.P.P.

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Order No.03/ Dated:15.02.2023

Heard learned counsel for the parties.

Apprehending their arrest in connection with Khunti P.S. Case No. 20 of 2022 instituted under Sections 147/ 148/ 149/ 341/ 323/ 324/ 307 of the Indian Penal Code, the petitioners have moved to this Court for grant of privilege of anticipatory bail.

As per F.I.R., allegation is that while informant was talking in front of his house in the evening, then accused persons lashed with lathi, danda and kulhadi and started quarrelling with the informant and during quarrel several persons sustained injuries.

Learned counsel for the petitioners has submitted that petitioners are innocent and have committed no offence at all rather they have been falsely implicated in this case. It is submitted that there is a case and counter case between the parties. It is submitted that in the counter case lodged by the petitioners, informant parties have sustained injuries. It is further submitted that injuries sustained by the injured persons are simple in nature. The scuffle took place in a sudden manner as such required intention or knowledge for constituting the offence under Section 307 of the Indian Penal Code is lacking in this case. It is lastly submitted that the

petitioners undertake to co-operate with the investigation of the case and also abide by all terms and conditions which may be imposed in the matter of granting anticipatory bail to the petitioners. Hence, the petitioners may be extended the privilege of anticipatory bail.

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

Considering the facts and circumstances of this case, the nature of allegation coupled with materials on record, I am inclined to grant privilege of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court below within four weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Khunti in connection with Khunti P.S. Case No. 20 of 2022 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.

(Pradeep Kumar Srivastava, J.)

R.K/