

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 7174 of 2020

.....

1. Md. Jafar Ali
2. Ravindra Yadav
3. Dilip Kumar

--- --- Petitioners

Versus

The State of Jharkhand

-- --- Opp. Party

CORAM: The Hon'ble Mr. Justice Aparesh Kumar Singh
Through Video Conferencing

For the Petitioners	: Mr. Prashant Kr. Rai, Adv.
For the State	: Mr. V.S. Sahay, A.P.P.

02/29.01.2021 Learned counsel for the petitioner undertakes to remove the following surviving defects within two weeks :-

- 9(i) Certified copy stated in sub-para may be corrected in sub-para 4.
- (ii) Pagination may be done on top right hand corner of annexures.
- (iii) Type copy of page-10, 11, 13 to 18 duly certified to be true may be filed.

Office to place the file for inspection and removal of defects within the same time on requisition being made.

Heard learned counsel for the petitioner and learned A.P.P.

Petitioner seeks protection of anticipatory bail in terms of Section 438 of the Cr.P.C. in connection with Pachamba P.S. Case No. 34 of 2020 instituted under Sections 414/34 of Indian Penal Code and Section 12 of the Jharkhand Bovine Animal Prohibition of Slaughter Act, pending in the court of learned Chief Judicial Magistrate, Giridih.

Learned counsel for the petitioner submits that petitioner no.1 is the registered owner of the vehicle bearing Registration No.BR-46G-6153, petitioner no.2 is the driver and petitioner no.3 is the cleaner. Petitioners were travelling with valid papers of six cows and one calf as per the receipts of purchase at Annexure-2 from Itwari Maveshi Haat in Jamui District. The informant, who is a private person, without any basis has unnecessarily implicated them on false allegations. Therefore, petitioners may be protected from unnecessary incarceration on such unfounded allegations. They are ready to abide by any such conditions as may be imposed for the purposes of anticipatory bail.

Learned A.P.P. has opposed the prayer.

However, having considered the aforesaid facts and circumstances and the submissions of learned counsel for the parties and that the petitioners have no criminal antecedent as stated at paragraph-17 of the petition and moreover petitioners have enclosed the receipt of purchase of these animals from one Itwari Maveshi Haat, Jamui, I am inclined to grant the privilege of anticipatory bail to the petitioners. Accordingly, petitioners above named, in the event of their surrender or arrest within in a period of 4 weeks, shall be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Giridih in connection with Pachamba P.S. Case No. 34 of 2020, subject to the conditions laid down u/s 438(2) Cr.P.C. The petitioners shall cooperate in the investigation. The petitioners and their bailors shall not change their addresses and mobile numbers without permission of the learned trial court during pendency of this case.

(Aparesh Kumar Singh, J.)

Shamim/