

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 9655 of 2022

1. Tahal Mahto

2. Arun Singh @ Arun Kumar Singh **Petitioners**

Versus

The State of Jharkhand

.....**Opposite party**

CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioners : Mr. Abhishek Krishna Gupta, Advocate

For the State : Mr. Shailendra Kumar Tiwari, Spl.P.P

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Order No.03/ Dated:18.04.2023

Heard learned counsel for the parties.

Apprehending their arrest in connection with Bishungarh P.S. Case No. 238 of 2021 instituted under Sections 341/ 323/ 504/ 506/ 379/ 353/ 34 of the Indian Penal Code and Section-66D of the Information Technology Act 2000, the petitioners have moved to this Court for grant of privilege of anticipatory bail.

As per F.I.R, allegation is that accused persons have taken about 1000 applications received at the time of “Apki Sarkar Apka Adhikar Apka Dwar” held at Madmo Panchayat on 10.12.2021 and also slapped the computer operator and attempted to snatch money.

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 no offence under Section 379, 353 of the Indian Penal Code is made out in this case. It is submitted that no force or violence has taken place with any public servant, rather, there is allegation that in order to malign the scheme of the Government “Apki Sarkar Apka Adhikar Apka Dwar” petitioner has been indulged in this case. Petitioner has no criminal antecedent. It is submitted that all the allegation are general and omnibus. 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 Spl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners and submitted that petitioners have snatched 1000 applications and also Rs. 500 from computer operator, hence, they do not deserve attributed anticipatory bail.

It appears that no specific role has been assigned against 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 petitioner no.1 Tahal Mahto. Accordingly, the petitioner no.1 is directed to surrender in 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/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Hazaribagh in connection with Bishungarh P.S. Case No. 238 of 2021 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.)

R.K/