

Raja Kumar vs The State Of Jharkhand ... Opposite ... on 8 April, 2021

Author: Anil Kumar Choudhary

Bench: Anil Kumar Choudhary

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 1555 of 2021

| | | |
|------------------------|--------|----------------|
| Raja Kumar | ... | Petitioner |
| | Versus | |
| The State of Jharkhand | ... | Opposite Party |
| | ----- | |

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. L.C. Roy, Advocate For the State : Mr. P.D. Agrawal, Addl. P.P.

Order No.02 Dated- 08.04.2021 Heard the parties through video conferencing. Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over. In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Deoghar (T) P.S. Case No.597 of 2020 registered under sections 328/420/272/188 of the Indian Penal Code, Section 51 and 54 of Food Safety and Standard Act, 2006.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that police raided the shop of the petitioner and found to be in possession of pan masala against the standard fixed by the Health Education and Welfare Department vide notification no.84 (16) dated 08.05.2020. It is further submitted that the allegations against the petitioner are all false and the petitioner has no concern with the seized articles nor the shop from where the same was recovered. It is next submitted that the petitioner has no criminal antecedent as has been mentioned in paragraph no. 10 of the anticipatory bail application. It is then submitted that the petitioner is ready and willing to furnish sufficient security including cash security and undertakes to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of

anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on depositing cash security of Rs.20,000/- and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Deoghar, in connection with Deoghar (T) P.S. Case No.597 of 2020 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 will furnish his mobile number and a copy of his Aadhar Card in the court below with the 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.

(Anil Kumar Choudhary, J.) Sonu/Gunjan-