

Raju Mahto @ Raju Kumar vs The State Of Jharkhand ... Opposite ... on 7 February, 2022

Author: Anil Kumar Choudhary

Bench: Anil Kumar Choudhary

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 400 of 2022

Raju Mahto @ Raju Kumar	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Kamdeo Pandey, Advocate For the State : Mr. P.D. Agrawal, Spl. P.P.

Order No.02 Dated- 07.02.2022 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 resumption of the Court in physical mode. 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 Bagodar P.S. Case No.172 of 2021 registered under sections 272/273/34 of the Indian Penal Code and under Section 48/59 of Food Safety and Standard Act, 2006.

The Learned Spl. P.P. submits that the offences involved in this case are all bailable in nature as the offence punishable under Section 59 (i) of Food Safety and Standard Act, 2006 is only made out against the petitioner from the allegations made against him, for which maximum sentence prescribed is six months. Hence, it is submitted that this anticipatory bail application is not maintainable.

This contention of the learned Special P.P. is not contested by the learned counsel for the petitioner. Considering the facts of the case and the submission of learned Spl. P.P., this anticipatory bail application of the petitioner is dismissed being not maintainable as all the offences alleged in this case are bailable in nature hence, the petitioner has failed to make out the case that there is any

apprehension of his being arrested in connection with a non-bailable offence.

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