

[2025: JHHC:10655]

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No.2239 of 2025

1. Binod Yadav, aged about 40 years, S/o Sukar Yadav, R/o Kulmugri, Machhali Dhana, PO Machhli, PS Bhelwaghati, District Giridih, Jharkhand.
2. Dinesh Yadav @ Dinesh Shukar Yadav, aged about 49 years, S/o Sukar Yadav, R/o Kulmugri, Machhali Dhana, PO Machhli, PS Bhelwaghati, District Giridih, Jharkhand.

.... Petitioners

Versus

The State of Jharkhand

.... Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Vishal Kr. Trivedi, Advocate

For the State : Mr. Rakesh Kumar Sinha, Addl.P.P

Order No.05 Dated- 07-04-2025

Heard the parties.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Bhelwaghati P.S. Case No. 33 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 354(B), 504, 506 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners were the members of an unlawful assembly and in prosecution of the common object of the assembly, attempted to murder the informant Tulo Yadav, disrobed him and committed theft of silver chain. It is submitted that the allegations against the petitioners are all false. It is next submitted that there was a free-fight between the parties and the alleged injuries sustained by the victim are simple in nature. It is next submitted that the co-accused, with similar allegations, have already been given the privileges of anticipatory bail by this Court vide order dated 05.03.2025 passed in A.B.A. No.3192 of 2024. It is further submitted that the petitioners undertake to co-operate with the investigation of the case; to furnish sufficient security including

cash security and they further undertake not to annoy or disturb the informant or any of his family members in any manner during pendency of the case. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Addl. PP opposes the prayer for anticipatory bail of the petitioners.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners. Hence, in the event of arrest by the police or surrender within a period of six weeks from the date of this order, the petitioners shall be released on bail on depositing Rs. 10,000/- each as cash security and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Giridih in connection with Bhelwaghati P.S. Case No. 33 of 2023 subject to the condition that the petitioners will not annoy or disturb the informant or his family members in any manner during pendency of the case and will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of Aadhaar card at the time of surrender in the court below with an undertaking not to change mobile phone number during the pendency of the case and he will not annoy or disturb the informant or any of his family members in any manner during pendency of the case and subject to the conditions laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Choudhary, J.)