

(2025:JHHC:11017)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.7910 of 2024

1. Md. Saukat Ansari, aged about 49 years, s/o late Usman Ansari
2. Mussarat Parween, aged about 44 years, w/o Saukat Ansari
Both resident of Village-Azad Basti, P.O., P.S. & Dist.-Gumla ... Petitioners
Versus

1. The State of Jharkhand
2. Md. Aslam Alam, s/o late Gulam Rasul, r/o Sisai Road,
Near- Idgah, P.O., P.S. & Dist.-Gumla
... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Sidhartha Roy, Advocate
 For the State : Mr. Nawin Kr. Singh, Addl. P.P.
 For O.P. No.2 : Mr. A.K. Chaturvedy, Advocate
 : Mr. Kumar Nishant, Advocate
 : Mr. A.K. Choubey, Advocate

Order No.04 Dated- 09.04.2025
I.A. No. 3927 of 2025

Heard the parties.

Learned counsel for the petitioners submits that this interlocutory application has been filed with a prayer for early hearing of this anticipatory bail application.

Since, this anticipatory bail application is taken up today hence, the prayer has become infructuous.

Accordingly, this interlocutory application is disposed of being infructuous.

(Anil Kumar Choudhary, J.)

A.B.A. No.7910 of 2024

1. Heard the parties.
2. Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Gumla P.S. Case No.304 of 2023 registered for the offences

punishable under sections 420/465/467/468/471/120B/34 of the Indian Penal Code.

3. The Learned counsel for the petitioners submits that the allegation against the petitioners is that though the petitioners are tenant of the informant but now they are claiming to be the owner of the tenanted premises on the basis of forged agreement for sale; purported to have been signed by the informant. It is further submitted that the allegations against the petitioners are all false and the dispute between the parties is basically a civil dispute. It is then submitted that the agreement for sale bears the signature of the informant, which he disowns now only to harass the petitioners and to setup a plea in the eviction suit filed by him against the petitioner No. 2. It is also submitted that there is an inordinate delay in lodging of the Complaint Case No. 1832 of 2023 which upon being referred to police by the learned Chief Judicial Magistrate, the FIR of the case has been registered. It is further submitted that the petitioner no.2 got electric energy, as the original consumer in her own name and not as the tenant of the informant as claimed by the informant and the petitioner no.2 is also paying the housing tax to Gumla Notified Area Council, as the owner of the premises. It is then submitted that the petitioners undertake to furnish sufficient security including cash security and also undertake to cooperate with the investigation of the case and further undertake that they will not annoy or disturb the informant in any manner during the pendency of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

4. Learned Addl. P.P. and the learned counsel for the opposite party no.2 opposes the prayer for grant of anticipatory bail.

5. 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 abovenamed petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of six weeks from the date of this order, they shall be released on bail on depositing cash security of Rs. 10,000/- each 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 C.J.M., Gumla, in connection with Gumla P.S. Case No.304 of 2023 with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile numbers and a copy of their Aadhar Cards in the court below with the undertaking that they will not change their mobile numbers during the pendency of the case with further condition that they will not annoy or disturb the informant in any manner during the pendency of the case subject to the conditions laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-