IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. M.P. No.2027 of 2020

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1. Santosh Singh
2. Abhimanyu Kumar Singh @ Mannu Singh … Petitioners

Versus

The State of Jharkhand … Opposite Party

Coram: **HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

For the Petitioner : Mr. Prabhat Kr. Sinha, Adv.
For the State : Mrs. Shweta Singh, P.P.

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04 /11.12.2020 Heard the parties through video conferencing.

This criminal miscellaneous petition has been filed under Section 482 Cr.P.C. by the petitioners with a prayer for modification of the order dated 26.08.2019 passed in A.B.A. No.5537 of 2019.

It is submitted by the learned counsel for the petitioners that the petitioners were directed to surrender before the court below within four weeks. It is next submitted that by the said order, the petitioners were given the privilege of anticipatory bail, subject to condition to pay victim compensation of Rs. 10,000/- each and depositing cash security of Rs.40,000/- each without prejudice to their defence in this case drawn in favour of the Chowkidar-Ravi Kumar Paswan, but the petitioners could not arrange said money and subsequently, in A.B.A. No.791 of 2020 vide order dated 17.02.2020, the co-accused persons have been given the privilege of anticipatory bail, subject to the condition to pay ad interim victim compensation of Rs.10,000/- jointly in favour of the informant without imposing any condition for cash security hence, it is submitted that the order dated 26.08.2019 passed in A.B.A. No.5537 of 2019 be modified accordingly and the time to surrender before the court below in terms of the order 26.08.2019 passed in A.B.A. No.5537 of 2019 be extended for four weeks from the date of this order.

Considering the aforesaid submissions, the operative portion of the order dated 26.08.2019 passed in A.B.A. No.5537 of 2019 is modified as under:-

"Hence, the petitioners are directed to surrender before the court below within four weeks from the date of this order in terms of the order dated 26.08.2019 passed in A.B.A. No.5537 of 2019, they shall be

released on bail on each of them depositing separate demand of Rs.10,000/- each as ad interim victim compensation drawn in favour of Chowkidar-Ravi Kumar Paswan and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount to the satisfaction of learned J.M. 1st Class, Hazaribag in connection with Chouparan P.S. Case No. 204 of 2018 with the condition that the petitioners will co-operate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and furnish their mobile numbers and photocopy of the Aadhar Cards with an undertaking that they will not change their mobile numbers during the pendency of the case subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure".

In case the petitioners deposit the said demand draft, the court below is directed to issue notice to Chowkidar-Ravi Kumar Paswan and on his proper identification, the court below shall handover the same to him forthwith.

The order dated 26.08.2019 passed in A.B.A. No.5537 of 2019 is modified to the aforesaid extent only.

This criminal miscellaneous petition is disposed of accordingly.

Let the order be communicated through FAX at the rate of Rs.50/- per page to be borne by the petitioner.

Pappu/ **(Anil Kumar Choudhary, J.)**