IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 6068 of 2020

Rakesh Kumar … ... Petitioner

Versus

The State of Jharkhand … … Opp. Party

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Anurag Kashyap, Advocate
For the State : A.P.P.

Order No. 02: Dated: 4th December, 2020

Heard the parties.

Defect no. 9(i), as pointed out by the office, is ignored.

The petitioner apprehends his arrest in connection with Lesliganj P.S. Case No. 26 of 2020.

It has been alleged that the informant was attributed to be practicing witchcraft and after casting such insinuation the accused persons had assaulted the informant and had also threatened her. Learned counsel for the petitioner submits that earlier one of the co-accused had filed a complaint against the informant being Complaint Case No. 1647 of 2017 and the present case is a retaliation to the earlier case. It has also been submitted that co-accused Sangita Devi and Ritesh Kumar have already been granted anticipatory bail by this Court in A.B.A. No. 4781 of 2020. Learned counsel further submits that the injuries suffered by the informant were opined to be simple in nature and on such parameters he has prayed for grant of anticipatory bail to the petitioner.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

A perusal of the FIR clearly reveals that it was the petitioner who had given an axe blow upon the head of the informant which resulted in the informant suffering injuries on her head. So far as the co-accused persons who had been granted anticipatory bail are concerned there is no specific allegation against them and therefore the case of the petitioner cannot be equated with the case of the other co-accused persons.

Regard being had to the aforesaid facts, I am not inclined to extend the privilege of anticipatory bail to the petitioner.

This application, accordingly, stands rejected.

(Rongon Mukhopadhyay, J.)

MM