IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 9339 of 2020
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1. Muzzafar Ansari
2. Mubarak Ansari … Petitioners

Versus

The State of Jharkhand ⋯ Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Nilesh Kumar, Advocate
For the State : Mr. V.N. Jha, Addl. P.P.

Order No.02 Dated- 08.12.2020

Heard the parties through video conferencing.

Learned counsel for the petitioners personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioners, the defects pointed out by the stamp reporter are ignored for the present.

The petitioners have moved this Court for grant of bail in connection with Jagarnathpur P.S. Case No.144 of 2020 registered under sections 147/148/149/341/323/324/325/307/302 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners were member of an unlawful assembly and being armed with deadly weapon, in prosecution of the common object of the assembly, murdered the deceased Samir Khan @ Kolu. It is then submitted by learned counsel for the petitioners that the allegations against the petitioners are false and the co-accused with similar allegations have already been given the privilege of anticipatory bail by this court vide order dated 01.10.2020 passed in ABA no. 4460 of 2020 and in the post mortem report, it has been opined that the death of the deceased was due to heart disease. It is further submitted by the learned counsel for the petitioners that the petitioners have been implicated in this case due to village politics. It is next submitted by the learned counsel for the

petitioners that the petitioners have been in custody since 18.08.2020 as mentioned in the impugned order. It is lastly submitted that the petitioners are ready and willing to co-operate with the trial of the case. Hence, it is submitted that the petitioners be admitted to bail.

Learned Addl. P.P. opposes the prayer for bail of the petitioner.

Considering the submissions of the counsels and the fact as discussed above, I am inclined to enlarge the above named petitioners on bail. Accordingly, the petitioners are directed to be released on bail 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 J.M. 1st class, Ranchi in connection with Jagarnathpur P.S. case no. 144 of 2020 with the condition that the petitioners will co-operate with the trial of the case.

(Anil Kumar Choudhary, J.)

Gunjan/