IN THE HIGH COURT OF JHARKHAND AT RANCHI
A. B. A. No. 6194 of 2020

1.Md. Shahil @ Shahil Miyan @ Chhotu Mian
2.Zulkarnain Ansari @ Zulkarnain Mian @ Ladan Mian
… … Petitioners
Versus
The State of Jharkhand … … Opposite Party

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioners : Mr. Vijayant Verma, Advocate
For the Opposite Party : Mr. Sunil Kumar Dubey, A.P.P.
For the Informant : Mr. Rajesh Kumar Singh, Advocate

2/16.12.2020 Heard the parties.

Defects as pointed out by the office are ignored.

The petitioners are apprehending their arrest in connection with Kunda P.S. Case No. 14 of 2020.

It has been alleged that the niece of the informant was molested by the accused persons. They had threatened the informant with a gun and on alarm, the accused persons fled away on a motor-cycle.

It has been stated by the learned counsel for the petitioners that an allegation has been made by the family members of the petitioner before the Circle Officer, Pratappur, Chatra for cancellation of the forged land settlement document obtained by the forefather of the informant. It has been submitted that the Circle Officer subsequently cancelled the Jamabandi of the land as the document obtained by the informant side was forged. It has further been stated that since some allegations had been made by the informant against the petitioners before the police station, notice under Section 41 A of Cr.P.C. was issued and the petitioner and his family members had appeared and the matter was settled. Learned counsel thus while referring to the aforesaid facts submits that the petitioners have falsely been implicated on account of previous enmity.

Mr. Rajesh Kumar Singh, learned counsel for the informant has submitted that there are direct allegation against the petitioner of forcibly entering into the house of the informant and giving threat and molesting the niece of the informant.

It appears that both the sides are on inimical terms and the same relates to a land settlement document which the petitioner claims to be a forged document and which appears to have been obtained by the informant side and the said contention is vindicated by the order passed by the Circle Officer. In view of the tumultuous relationship between both the sides as would appear from the circumstances narrated above, the false implication of the petitioner cannot be ruled out.

On consideration of the above, I am inclined to extend the privilege of anticipatory bail to the petitioners.

Accordingly, the petitioners above named are directed to surrender in the court below within four weeks and pray for bail, and in that event, they shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge I, Chatra in connection with Kunda P.S. Case No. 14 of 2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This application stands allowed.

(Rongon Mukhopadhyay, J)

R. Shekhar Cp 3