IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.5245 of 2024

Om Prakash @ Chootu Singh @ Om Prakash Singh @ Chhotu Singh, S/o Bhuvneshwar Prasad Singh @ Bhulan Singh, R/o Ward No.3, Village-Kachara, P.O. & P.S.-Hussainabad, District-Palamau.
..... Petitioner.
-Versus-
The State of Jharkhand ..... Opp. Party.
With
A.B.A. No.5554 of 2024

Vikash Pathak @ Saket Kumar Pathak @ Saket Pathak, S/o Virinda Pathak, R/o Village-Darua, P.O.-Japla, P.S.-Hussainabad, District-Palamau.
..... Petitioner.
-Versus-
The State of Jharkhand ..... Opp. Party.
With
A.B.A. No.6845 of 2024

Rudra Yadav @ Suraj Kumar, S/o Sunil Yadav, R/o Village-Lamar, P.O.-Dangwar, P.S.-Hussainabad, District-Palamau.
..... Petitioner.
-Versus-
The State of Jharkhand ..... Opp. Party.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner(s): Mr. Anurag Kashyap, Advocate
[in A.B.A. Nos.5245 & 6845 of 2024]
Mr. Abhay Kr. Chaturvedy, Advocate
[in A.B.A. No.5554 of 2024]
For the State : Mr. Rajesh Kumar, A.P.P.
[in A.B.A. No.5245 of 2024]
Mr. Sura Deo Munda, A.P.P.
[in A.B.A. No.5554 of 2024]
Ms. Shweta Singh, A.P.P.
[in A.B.A. No.6845 of 2024]

Order No.03 **Date: 04.12.2024**

1. The petitioners apprehending their arrest in connection with Hussainabad P.S. Case No.65 of 2024 registered for the offences punishable under Sections 290/336 of the Indian Penal Code, 1860 and Sections 25(1-B)a/26/27/35

of the Arms Act, 1959, have prayed for grant of anticipatory bail.

2. Learned counsel for the petitioners appearing in the respective anticipatory bail applications jointly submit that the petitioners have been falsely implicated in the present case and have not committed any offence as alleged in the F.I.R. It has been alleged that on 24th March, 2024 the informant received an information that the petitioners along with other co-accused persons namely Gudan Singh and Manish Yadav were firing with illegal weapon (pistol) on beer bottles over a canal bridge situated in the way of Pahari Mandir at Village-Bardiha (Lotaniya). Thereafter, for verification of the said information, when the informant (Officer-in-charge of Dangwar O.P.) along with other constables reached at the place of occurrence, they fled away by a white Bolero and Bullet bike on seeing the police party.

3. It is further submitted that admittedly no injury was caused to anyone in the alleged incident. It has been mentioned in the written report that the petitioner-Om Prakash @ Chootu Singh @ Om Prakash Singh @ Chhotu Singh along with other petitioners and aforesaid co-accused persons were firing on beer bottles with illegal weapon (pistol), however, it has not been specified in the same as to how he came to know about the identity of the

petitioners. Hence, they may be given the privilege of anticipatory bail.

4. Learned A.P.Ps. appearing in respective cases, while opposing the petitioners' prayer for grant of anticipatory bail, submit that the petitioner of A.B.A. No.5245 of 2024 namely Om Prakash @ Chootu Singh @ Om Prakash Singh @ Chhotu Singh has 15 criminal cases pending against him, whereas the petitioner of A.B.A. No.5554 of 2024 namely Vikash Pathak @ Saket Kumar Pathak @ Saket Pathak has 8 criminal cases pending against him. So far as the petitioner of A.B.A. No.6845 of 2024 namely Rudra Yadav @ Suraj Kumar is concerned, he has no criminal antecedent.

5. Having heard learned counsel for the parties, considering the materials available on record and that the petitioners of A.B.A. No.5245 of 2024 and A.B.A. No.5554 of 2024, namely, Om Prakash @ Chootu Singh @ Om Prakash Singh @ Chhotu Singh and Vikash Pathak @ Saket Kumar Pathak @ Saket Pathak respectively have several criminal cases pending against them, I am not inclined to enlarge them on anticipatory bail.

6. A.B.A. No.5245 of 2024 and A.B.A. No.5554 of 2024 are, accordingly, rejected.

7. So far as the petitioner of A.B.A. No.6845 of 2024 namely Rudra Yadav @ Suraj Kumar is concerned, I am inclined to

enlarge him on anticipatory bail. Accordingly, in the event of his arrest or surrender before the court below within three weeks from today, he shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Palamau at Daltonganj in connection with Hussainabad P.S. Case No.65 of 2024 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rajesh Shankar, J.)

Vikas/