

Gopal Rajwar Vs. The State of Jharkhand

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Court : Jharkhand

Decided On : Jul-05-2017

Appellant : Gopal Rajwar

Respondent : The State of Jharkhand

Judgement :

IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 3608 of 2017
Gopal Rajwar Petitioner Versus The State of Jharkhand Opp. Party Coram:
HONBLE MR. JUSTICE ANIL KUMAR CHOUDHARY1 For the Petitioner : Mr.
Ashim Kr. Sahani, Adv.

2. For the State : Addl. P.P. 03 /05.07.2017 Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Chas (M) P.S. Case No. 03 of 2017 (G.R. No. 87 of 2017) registered under sections 498 (A), 341, 323 and 34 of the Indian Penal Code. Heard the learned counsel for the petitioner and the learned Addl. P.P. for the State. The learned counsel for the petitioner seeks permission of this Court to implead the informant as opposite party no.2 of this anticipatory bail application. Prayer is allowed. The petitioner is directed to incorporate the name of the informant as opposite party no.2 in this anticipatory bail application, during course of the day. Let notice be issued to the newly impleaded opposite party no.2 under registered cover with A/D as well as under ordinary process for which requisites etc. must be filed within a week by the petitioner, failing which, this application shall stand dismissed without further reference to the Bench. The learned counsel for the petitioner, further,

submits that the petitioner is the husband of the informant and he has falsely been implicated in this case. Hence, the petitioner be given the privilege of anticipatory bail. The learned Addl. P.P. opposes the prayer for bail. List this case on 03.08.2017. Considering the submissions of the counsels and the fact as discussed above, I am inclined to pass an interim order of anticipatory bail provisionally till 03.08.2017. In case of the petitioner being arrested by the police on or before 03.08.2017, he shall be released on bail provisionally on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of like amount each to the satisfaction of the officer concerned in connection with Chas (M) P.S. Case No. 03 of 2017 (G.R. No. 87 of 2017), subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure. (Anil Kumar Choudhary, J.) Sonu- IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B. A. No. 3654 of 2017 Hamid Hashmi @ Tinku Petitioner Versus 1. The State of Jharkhand 2. Gulishta Parween Opp. Party Coram: HONBLE MR. JUSTICE ANIL KUMAR CHOUDHARY1 For the Petitioner : Mr. Parth S.A. Swaroop Pati, Adv.

2. For the State : Addl. P.P.

3. For the O.P. No.2 : Mr. Anupam Anand, Adv. 04 /05.07.2017 Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Rajrappa P.S. Case No. 57 of 2017 (G.R. Case No. 438 of 2017) registered under section 341, 323, 379, 366, 376 & 34 of the Indian Penal Code. Heard the learned counsel for the petitioner and the learned Addl. P.P. for the State. The learned counsel for the petitioner submits that the case has been instituted by pressurizing the informant by a person who forcibly married her even if her valid marriage with the petitioner was subsisting. The second marriage was not valid. The learned counsel for the opposite party no.2 appearing for the informant has filed a counter affidavit duly sworn in by the informant herself, wherein, she has stated that she is now living happily with the petitioner as husband and wife and she has no grudge against the petitioner. Hence, considering the aforesaid facts and circumstances of the case, the petitioner be given the privilege of anticipatory bail. The learned Addl. P.P. opposes the prayer for bail but conceded that the petitioner and the opposite party no. 2 are living as husband and wife. Considering the submissions of the counsels

and the fact as discussed above, I am of the opinion that it is a fit case where the petitioner - Hamid Hashmi @ Tinku be admitted to anticipatory bail. Hence, in the event of his arrest or surrender within a period of four weeks from the date of this order, he shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Ramgarh, in connection with Rajrappa P.S. Case No. 57 of 2017 (G.R. Case No. 438 of 2017), subject to the conditions laid down under section 438 (2) Cr. P.C. (Anil Kumar Choudhary, J.) Sonu- IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 3839 of 2017 Robin Mandal Petitioner Versus The State of Jharkhand Opp. Party Coram: HONBLE MR. JUSTICE ANIL KUMAR CHOUDHARY For the Petitioner : Mr. Prashant Kr. Rahul, Adv. For the State : Addl. P.P. 02 /05.07.2017 Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Karmatanr P.S. Case No. 98 of 2017 (G.R. No. 384 of 2017) registered under sections 414, 419, 420, 467, 468, 471 & 120 (B) of the Indian Penal Code and 66 (B) (C) & (D) of the I.T. Act. Heard the learned counsel for the petitioner and the learned Addl. P.P. for the State. The learned counsel for the petitioner submits that the allegation against the petitioner is that he along with other co- accused persons of the case are impersonating themselves as bank officers and after obtaining information about the details of A.T.M. cards of the account holders of bank, they swindle away money from their bank accounts. The learned counsel, further, submits that neither anything has been recovered from the conscious possession of the petitioner nor he was present at the place of occurrence. He further submits that the petitioner is ready and willing to furnish sufficient cash security. Hence, the petitioners be given the privilege of anticipatory bail. Learned Addl. P.P. opposes the prayer for grant of anticipatory bail. Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the petitioner - Robin Mandal be admitted to anticipatory bail on the condition that he will cooperate in the investigation of the case and appear before the I.O., as and when required. Hence, in the event of his arrest or surrender within a period of four weeks from the date of this order, he shall be released on bail on depositing cash security of Rs. 10,000/- and furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount

each to the satisfaction of learned Chief Judicial Magistrate, Jamtara, in connection with Karmatanr P.S. Case No. 98 of 2017 (G.R. No. 384 of 2017), subject to the conditions laid down under section 438 (2) Cr. P.C. (Anil Kumar Choudhary, J.) Sonu- IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 3845 of 2017 Arbind Roy Petitioner Versus The State of Jharkhand Opp. Party Coram: HONBLE MR. JUSTICE ANIL KUMAR CHOUDHARY For the Petitioner(s) : Mr. Rakesh Kr. Sinha, Adv. For the State : Addl. P.P. 02 /05.07.2017

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Jharia (Alakdiha) P.S. Case No. 434 of 2014 (G.R. No. 4310 of 2014) registered under sections 147, 148, 149, 341, 323, 307 and 120(B) of the Indian Penal Code. Heard learned counsel appearing for the petitioner and the learned Addl. P.P. for the State. The learned counsel for the petitioner submits that the allegation against the petitioner is that being instigated by the petitioner and co-accused person and in criminal conspiracy with him, suddenly a murderous assault was made on the informant- Tapan Bauri and one Jhabu Kumar Bauri. There is specific allegation against one Vijay Kalindi of firing a gun shot at Jhabu Kumar Bauri from which he received one shot injury on his chest. He further submits that the petitioner was not present at the place of occurrence and some of the witnesses have also stated during the investigation about absence of the petitioner at the place of occurrence but after more than two and a half years of the occurrence police has started searching for the petitioner to arrest him. The learned counsel for the petitioner, further, submits that the petitioner is ready and willing to pay the ad interim victim compensation to the victims. Hence, the petitioner be given the privilege of anticipatory bail. The learned Addl. P.P. opposes the prayer for bail but conceded that some of the witness admitted that the petitioner was not present at the place of occurrence and charge sheet has already been submitted against the other co-accused persons, against whom investigation is complete. Considering the submissions of the counsels and the fact as discussed above, I am inclined to grant privileges of anticipatory bail to the petitioner - Arbind Roy. Hence, in the event of his arrest or surrender within a period of four weeks from the date of this order, he shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief

Judicial Magistrate, Dhanbad, in connection with Jharia (Alakdiha) P.S. Case No. 434 of 2014 (G.R. No. 4310 of 2014) and depositing Rs. 10,000/- as ad interim victim compensation to be paid to the to the victims - Tapan Bauri and Jhabu Kumar Bauri, in equal proportion subject to the conditions laid down under section 438 (2) Cr. P.C. In case, the petitioner deposit the ad interim victim compensation amount, the court concerned is directed to issue notice to the victims - Tapan Bauri and Jhabu Kumar Bauri and release the said amount in their favour in equal proportion, after proper identification. (Anil Kumar Choudhary, J.) Sonu- IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 3970 of 2017 Arjun Mahto @ Raj Kumar Mahto Petitioner Versus State of Jharkhand Opp. Party Coram: HONBLE MR. JUSTICE ANIL KUMAR CHOUDHARY For the Petitioner(s) : Mr. Diwakar Jha, Adv. For the State : Addl. P.P. 02 /05.07.2017 Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Ramgarh P.S. Case No. 126 of 2017 (G.R. No. 457 of 2017) registered under section 414, 413 & 34 of the Indian Penal Code, section 30(ii) of Coal Mines Act and section 33 of the Indian Forest Act. Heard the learned counsel for the petitioner and the learned Addl. P.P. for the State. The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner is the owner of the brick kiln situated at village Kaitha, Ramgarh and he procured illegally extracted coal and the police seized 3 tons of steam coal kept in the premises of his brick kiln. It is, further, submitted that the allegation are all false and the petitioner lawfully purchased the steam coal and used certain part of it, while the remaining portion of the steam coal was seized by the police. The petitioner has never indulged in illegal extraction of coal. He further submits that the petitioner is ready and willing to furnish sufficient cash security. Hence, the petitioner be given the privilege of anticipatory bail. Learned Addl. P.P. opposes the prayer for grant of anticipatory bail. Considering the submissions of the counsels and the fact as discussed above, I am inclined to give the privilege of anticipatory bail to the petitioner -Arjun Mahto @ Raj Kumar Mahto . Hence, in the event of his arrest or surrender within a period of four weeks from the date of this order, he shall be released on bail on depositing cash security of Rs. 3500/- and furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,

Ramgarh, in connection with Ramgarh P.S. Case No. 126 of 2017 (G.R. No. 457 of 2017), subject to the conditions laid down under section 438 (2) Cr. P.C. (Anil Kumar Choudhary, J.) Sonu- IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 3978 of 2017 Bhutnath Mahto Petitioner Versus State of Jharkhand Opp. Party Coram: HONBLE MR. JUSTICE ANIL KUMAR CHOUDHARY For the Petitioner(s) : Mr. Diwakar Jha, Adv. For the State : Addl. P.P. 02 /05.07.2017 Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Ramgarh P.S. Case No. 126 of 2017 (G.R. No. 457 of 2017) registered under section 414, 413 & 34 of the Indian Penal Code, section 30(ii) of Coal Mines Act and section 33 of the Indian Forest Act. Heard the learned counsel for the petitioner and the learned Addl. P.P. for the State. The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner is the owner of the brick kiln situated at village Kaitha, Ramgarh and he procured illegally extracted coal and the police seized 1.5 tons of steam coal kept in the premises of his brick kiln. It is, further, submitted that the allegation are all false and the petitioner lawfully purchased the steam coal and used certain part of it, while the remaining portion of the steam coal was seized by the police. The petitioner has never indulged in illegal extraction of coal. He further submits that the petitioner is ready and willing to furnish sufficient cash security. Hence, the petitioner be given the privilege of anticipatory bail. Learned Addl. P.P. opposes the prayer for grant of anticipatory bail. Considering the submissions of the counsels and the fact as discussed above, I am inclined to give the privilege of anticipatory bail to the petitioner - Bhutnath Mahto . Hence, in the event of his arrest or surrender within a period of four weeks from the date of this order, he shall be released on bail on depositing cash security of Rs. 3000/- and furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ramgarh, in connection with Ramgarh P.S. Case No. 126 of 2017 (G.R. No. 457 of 2017), subject to the conditions laid down under section 438 (2) Cr. P.C. (Anil Kumar Choudhary, J.) Sonu-