

**Mithun Das and anr Vs. the State of Jharkhand**

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**SooperKanoon Citation :** [sooperkanoon.com/971696](http://sooperkanoon.com/971696)

**Court :** Jharkhand

**Decided On :** Sep-01-2012

**Appellant :** Mithun Das and anr

**Respondent :** The State of Jharkhand

**Judgement :**

IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 2312 o

1. Mithun Das @ Mithu Das 2. Dholi Devi . Petitioner(s) Versus The State of Jharkhand . Opp. Party. --- CORAM: HONBLE MR. JUSTICE P.P.BHATT --- For the petitioner(s) : Mr. Anil Kr.Sinha , Adv. For the Opp. Party : Mr. A.K. Pandey, APP. --- Order No.2 Dated 01st September, 2012 The present petition has been filed under Section 438 and 440 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioners in connection with Jai Nagar P.S. Case No. 136/2011, corresponding to G.R. Case No. 1064 of 2011 for the alleged offence under sections 147, 148, 149, 323, 324, 379, 307 and 504 of the Indian Penal Code, which is pending in the court learned Civil Judge, (Jr. Division)-I, Koderma. Heard the learned counsel for the parties and perused the police papers. From perusal of FIR and another documents more particularly para 10 of the counter affidavit, filed by the Investigating Officer, prima facie, it appears that there is no specific and direct allegation against the petitioner. Moreover looking to the nature of gravity of the offence as also considering the fact that there is no criminal antecedent against the petitioners . This court is of the view that discretion is required to be exercised in favour of the petitioner by granting anticipatory bail.

Having regards to the facts and circumstances of the present case, in the event of their arrest or surrender within a period of 15 days from the date of this order, the petitioners, namely, Mithun Das @ Mithu Das and Dholi Devi are directed to be released on executing bail bond of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Civil Judge, (Jr. Division)-I, Koderma, in connection with Jai Nagar P.S. Case No. 136/2011, corresponding to G.R. Case No. 1064 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. (P.P. Bhatt, J.)  
Anu/-

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