

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Criminal Miscellaneous Jurisdiction)
B.A.No. 7868 of 2022

Sushil Dubey Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE RATNAKER BHENGRA

For the Petitioner : Mr. Pradeep Kumar Prasad, Advocate
For the State : Mr. Prabhu Dayal Agrawal , APP

Order No. 02 /Dated: 16th August, 2022

Heard Mr. Pradeep Kumar Prasad, the learned counsel for the petitioner and Mr. Prabhu Dayal Agrawal, the learned APP for the State.

Mr. Pradeep Kumar Prasad, the learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he has committed no offence as alleged in the FIR. He was neither present at the place of occurrence nor ever engaged in the alleged offence as stated in the FIR by the informant. There is no specific allegation against the petitioner, all allegation are general and omnibus against the petitioner. It is further stated that neither petitioner ever took part in the excavation of the stone nor he was the member of the unlawful mob who attack the forest guard to take the Tractor and driver from the custody of the police, moreover he has no criminal antecedent prior to this case. It is further submitted that the petitioner is behind the bar from 24.05.2022 for no fault of his. Counsel further says that as many as five other persons have already been granted bail or anticipatory bail by different Benches of this Court. Co-accused Dilip Sao @ Dilip Kumar Gupta, Yogeshwar Mehta @ Pandey @ Jugal Mahto and Churan Mehta @ Churaman Mahto @ Churan Prasad Mehta have been granted anticipatory bail in ABA No. 4814 of 2019 vide order dated 05.08.2019, co-accused Santu Gope has been granted regular bail in BA No. 7604 of 2020 vide order dated 03.10.2020 and co-accused Tahal Ram has been granted regular bail in BA No. 3419 of 2020 vide order dated 30.06.2020 and, therefore on similar ground the petitioner may also be granted bail.

Learned counsel for the State, on the other hand, has opposed the bail petition.

Having heard both counsels, gone through the records of the case

and in the facts and circumstances of the case, I am inclined to release the petitioner, named above, on bail, on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Hazaribagh in connection with Katkamsandi (Pelawal) P.S. Case No. 170 of 2018.

(Ratnaker Bhengra, J.)

Sharda/