

(2012) 10 JH CK 0021
Jharkhand High Court
Case No: A.B.A. No. 3736 of 2012

Santosh Kumar Mehta @
Santosh Kumar and Anil Raj @
Anil Mehta

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision: Oct. 31, 2012

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 438(2)
- Penal Code, 1860 (IPC) - Section 143, 186, 283, 332, 341

Hon'ble Judges: Dhruv Narayan Upadhyay, J

Bench: Single Bench

Advocate: Deepak Kumar, for the Appellant;

Final Decision: Dismissed

Judgement

D.N. Upadhyay

1. Heard the learned counsel for the petitioners and the learned counsel for the State. This is an application for grant of anticipatory bail filed by the petitioners in connection with Barhi (Padma) PS case No. 49 of 2012 (GR No. 637/2012) for the offence registered under sections 143 / 341/ 342/ 186/ 332/ 353/ 504/ 283 of the Indian Penal Code.

2. It reveals from the FIR that the petitioners created road jaam against seizure of a tractor which was parked in their crusher.

3. It is submitted that sections 353/ 332 IPC are not attracted and rest of the sections are bailable. No criminal force was used against public servants in discharge of their official duties. Learned counsel for the State has opposed the prayer. Considering above facts and circumstances of the case, both the petitioners above named are directed to appear/surrender before the court below within a period of four weeks

positively from the date of this order and on their surrender, they shall be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Rajesh Kumar, J.M. 1st Class, Hazaribagh, in connection with Barhi (Padma) PS case No. 49 of 2012 (GR No. 637/2012), subject to the conditions laid down u/s 438(2) Cr.P.C.