
Sone Lal Das Vs State of Jharkhand

A.B.A. No. 2329 of 2012

Court: Jharkhand High Court

Date of Decision: Sept. 1, 2012

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) " Section 438, 438(2), 440#Penal Code, 1860 (IPC)
" Section 120B, 34, 409

Citation: (2013) 2 AJR 418

Hon'ble Judges: P.P. Bhatt, J

Bench: Single Bench

Advocate: Pandey Neeraj Rai, for the Appellant;

Judgement

P.P. Bhatt

1. Present anticipatory bail application has been filed under sections 438 and 440 of the Code of Criminal Procedure seeking anticipatory bail in

connection with Koderma P.S. Case No. 289 of 2011 corresponding to G.R. No. 595 of 2011 dated 1.7.2011 registered under sections

409/34/120-B of the Indian Penal Code pending in the court of learned Chief Judicial Magistrate, Koderma in which the petitioner has reason to

believe of being arrested by the police. Heard the learned counsel for the petitioner as well as learned APP appearing on behalf of the State and

perused the papers attached to this petition.

2. The learned counsel appearing for the petitioner pointed out that co-accused namely Vivekanand Choudhary has been granted anticipatory bail

by a Bench of this Court in A.B.A. No. 4265 of 2011 vide order dated 1.2.2012. It is further submitted that there are total three accused persons,

out of which Junior Engineer has been granted anticipatory bail. The present petitioner is the Executive Engineer and nature of the allegation is

almost similar.

3. From perusal of the F.I.R. and others annexed to this petition as also Annexure-2 it appears that the case of the present petitioner is similar to

that co-accused Vivekanand Choudhary who has been granted anticipatory bail. Having regard to the facts and circumstances of the present case

as also in view of the nature of allegations and gravity of the offence, this court is of the view that anticipatory bail is required to be granted in

favour of the petitioner Sone Lal Das. Accordingly, petitioner, Sone Lal Das, in the event of his arrest or surrender within a period of 15 days from

the date of this order, is directed to be released on executing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount

each to the satisfaction of the learned Chief Judicial Magistrate, Koderma in connection with Koderma P.S. Case No. 289 of 2011 corresponding

to G.R. No. 595 of 2011 subject to the condition as laid down u/s 438(2) of the Code of Criminal Procedure.