

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
A.B. A. No. 5008 of 2020

1. Haji Muhammad Tahir		
2. Haji Muhammad Islam	...	Petitioners
	Versus	
The State of Jharkhand	...	Opposite Party

**Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

For the Petitioners	: Mr. Ankit Vishal, Adv.
For the State	: Mr. Santosh Kr. Shukla, Addl. P.P.

**02/14.10.2020** Heard the parties through Video Conferencing.

Mr. Ankit Vishal, learned counsel for the petitioners personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over. Learned counsel appearing for the petitioners further submits that inadvertently paragraph 21 has been inserted in this anticipatory bail application because of printing error, hence the petitioners undertakes to delete the same within two weeks after the lockdown is over, hence, it is prayed that paragraph 21 of the anticipatory bail application ought not be considered as a part of this petition.

In view of the personal undertaking given by learned counsel for the petitioners, the defects pointed out by the Stamp Reporter are ignored for the present.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Sadar P.S. case no. 44 of 2020 registered under Sections 107, 269, 270 read with section 34 of the Indian Penal Code, section 14(b), 14(c) and 14(C) of the Foreigner's Act, 1946.

Learned counsel appearing for the petitioners further submits that the allegation against the petitioners is that the petitioners are the coordinators of the mosque at Sakchi, Jamshedpur, which is the headquarter for the State of Jharkhand of Tablighi Jamat and the petitioners did not inform the administration about the accommodation of seven foreigners who visited India on tourist visa and two Indians coordinators accompanying them. It is next submitted by learned

counsel for the petitioners that the said foreigners were Tablighi Jamat members stayed at mosque at Chaibsa and conducted activities of Tablighi Jamat at Chaibasa also, in the organization of which the petitioners were involved. It is then submitted that the allegations against the petitioners are all false and the petitioners are the old persons and the local police as well as Intelligence Bureau was aware of the movement of the foreigners even before they came to mosque at Jamshedpur. It is next submitted that the petitioners are ready to co-operate with the investigation of the case and co-accused with similar allegations have already been granted privilege of anticipatory bail by a co-ordinate Bench of this court vide order dated 31.08.2020 passed in ABA no. 2427 of 2020, hence, the petitioners be given the privilege of anticipatory bail.

The learned Addl. PP opposes the prayer for anticipatory bail of the petitioner.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners. Hence, in the event of arrest by the police or surrender within a period of six weeks from the date of this order, the petitioners shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Chaibasa in connection with Sadar P.S. case no. 44 of 2020 subject to the condition that the petitioners will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of *Aadhaar* card at the time of surrender in the court below with an undertaking not to change mobile number during the pendency of the case along with the other conditions laid down under section 438 (2) Cr. P.C.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-