

2001(2) JLJR

*Ishwari Gope v. Sta*

fence has been committed. It is only in the latter case that the bail may be refused. In former case, the grant of bail should be a rule.

4. Based on the aforesaid observations, therefore I find that apprehension of the accused-petitioner is not well founded. The application for anticipatory bail accordingly is dismissed. The accused-petitioner is at liberty to appear in the court below (Sri O.P. Pandey, Judicial Magistrate, Jamshedpur, in C/I case no. 353/2001 and apply for being enlarged on bail. If he does so, the trial court shall pass appropriate orders in the light of the observations made hereinabove.

5. Registrar General of this Court is directed to circulate copies of this judgment to all Subordinate Courts in the State of Jharkhand for their information, compliance and necessary action.

(V.K. Gupta, C.J.)

A.B.A. No. 4705 of 2001

(23 7 2001)

M.D.A. NO. 4703 OF 2001

(23.7.2001)

Ishwari Gope

Petitioner

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