

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2669 of 2020

1. Anil Kumar @ Anil Kumar Dwivedi
2. Malay Dutta Petitioners
Vs.
1. The State of Jharkhand
2. Ashok Kumar Agarwal Opposite Parties

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
Through Video Conferencing

For the Petitioners : Mr. Abhishek Kumar Dubey, Advocate
For the State : Mr. Ravi Prakash, Spl.P.P.

Order No. 02

Dated 11st September, 2020

Heard the learned counsel for the respective sides.

The defects, as pointed out by the office, are ignored.

The petitioners apprehend their arrest in connection with Seraikella P.S. Case No. 96 of 2019.

The informant is a registered firm which is represented through its sole Director Ashok Kumar Agrawal. The informant is engaged in acquiring land in different locations for industrial and other purposes. It has been alleged that the accused No. 1 had offered himself as a facilitator and assured the informant to get the land in Mouja Zordih transferred in the name of the informant from the land owners by way of sale deeds. An agreement for sale was executed by the general power of attorney holder in favour of the informant. It has further been alleged that the informant had paid Rs. 46 Lakhs as part consideration amount to the accused No. 1. However, the land was never transferred and instead of selling the land to the informant, it was alienated to the others.

It appears that the role of the petitioner has been limited only with respect to being the witnesses to the sale deeds. One of the land owners has been granted anticipatory bail by this Court although subject to deposit of Rs. 5 Lakhs as ad interim victims' compensation in ABA No. 1545 of 2020.

On consideration of the aforesaid facts, I am inclined to extend the privilege of anticipatory bail to the petitioners. The petitioners accordingly are directed to surrender before the learned trial court within four weeks from today and on such surrender, they shall be released on bail

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on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Seraikella in connection with Seraikella P.S. Case No. 96 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(RONGON MUKHOPADHYAY,J.)

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