

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2888 of 2020

Shyamal Kumar Bhattacharya ... Petitioner

- Versus -

The State of Jharkhand Opposite Party

CORAM: - HON'BLE MR. JUSTICE DR. S. N. PATHAK

(Through: Video Conferencing)

For Petitioner : Ms. Pinky Tiwary, Advocate

For Opp. Party : Mr. Rakesh Ranjan, APP

02/09.09.2020

In view of COVID-19 pandemic, case has been taken up through Video Conferencing. Concerned lawyers have no objection with regard to the proceeding, which has been held through Video Conferencing today at 10:30 AM onwards. They have no complaint in respect to the audio and video clarity and quality.

The petitioner is apprehending his arrest in connection with Sitaramdera P.S Case No.13 of 2020 for the offences registered under Sections 406 and 420 of the Indian Penal Code, pending before the Court of learned Judicial Magistrate First Class at Jamshedpur.

Heard Ms. Pinky Tiwary, learned counsel for the petitioner and Mr. Rakesh Ranjan, learned APP for the State.

Ms. Pinky Tiwary, learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the instant case by the informant. The petitioner has not committed any offence as alleged in the complaint. The petitioner is a senior citizen and medically unfit. The petitioner has never sold the property as it is a lease property, which cannot be sold out, he is being forcefully dragged into this matter. She further submits that earlier the wife of the informant filed a Title Partition Suit against the petitioner and his brothers, where petition for injunction was also filed, which was rejected by the learned Trial Court. Thereafter, this case has been filed to harass the petitioner. She further submits that petitioner is ready to abide by any terms and conditions imposed upon him by this Hon'ble Court for grant of anticipatory bail. Hence, the petitioner may be given the privilege of anticipatory bail.

Learned APP opposes the prayer for grant of anticipatory

bail.

Considering the facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Hence, in the event of arrest by the police or surrender before the learned Court below, within a period of four weeks' from the date of this order, the petitioner, named above shall be enlarged on bail, on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of like amount each to the satisfaction of officer concerned, in connection with Sitaramdera P.S Case No.13 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Dr. S. N. Pathak, J.)