

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 3449 of 2020

Raju Pandey @ Raju Petitioner

Vs.

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

Through Video Conferencing

For the Petitioner : Mr. Rakesh Kumar Sinha, Advocate

For the State : Mr. Md. Azeemuddin, A.P.P.

Order No. 02

Dated 14th September, 2020

Defects, as pointed out by the office, are ignored.

The petitioner apprehends his arrest in connection with Kanke P.S. Case No. 05 of 2015 corresponding to G.R. Case No. 320 of 2015.

It has been alleged that M/s. Cobra Industrial Security Force (I) Ltd. had deposited less amount in the Employees State Insurance Corporation and in the Employees Provident Fund as less wages has been paid to the employees violating the provisions of the Minimum Wages Act.

A tender was floated by RINPAS for providing security cover and M/s. Cobra Industrial Security Force (I) Ltd. which had submitted its bid was declared L-1 and accordingly work order was issued to it. After completion of one year, the agreement was extended for a further period of one year. It appears that during the period of extension RINPAS had made an advertisement for the same work.

Learned counsel for the petitioner submits that the informant is not competent to institute an F.I.R. under the Mines Act, Employees State Insurance Act and Employees Provident Fund and Miscellaneous Provisions Act. Learned counsel submits that the Director of M/s. Cobra Industrial Security Force (I) Ltd. has been granted anticipatory bail by this Court in A.B.A. No. 8801 of 2019. He has further submitted that the petitioner was merely a manager of the said company.

On consideration of the fact that the Director of Company has been granted anticipatory bail by this Court, as stated above, I am also inclined to extend the privilege of anticipatory bail to the petitioner. The petitioner accordingly is directed to surrender before the learned trial court within four weeks from today and on such surrender, he shall be

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released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ranchi in connection with Kanke P.S. Case No. 05 of 2015 corresponding to G.R. Case No. 320 of 2015, 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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