

IN THE HIGH COURT OF JHARKHAND AT RANCHI

(Criminal Miscellaneous Jurisdiction)

A.B.A. No. 3117 of 2020

Raj Gupta @ Raj Kumar Gupta

..... Petitioner

Versus

The State of Jharkhand

.....Opposite Party

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO

Through:- Video Conferencing

For the Petitioner : Mr. P.S. Dayal, Advocate

For the State : Mr. S.K. Srivastava, A.P.P.

02/Dated: 09/09/2020

Learned counsel for the petitioner has submitted that though there are defect nos. 8 and 9(i) in the bail application as pointed out by the stamp reporter but he has filed an undertaking that he shall remove the defects within 30 days after the physical court starts and prayed for hearing of the anticipatory bail application, as petitioner is apprehending his arrest during pandemic of Covid-19.

Considering the same, this Court is inclined to hear the anticipatory bail application on merits, but with condition that petitioner shall remove the defects within 30 days after the physical court starts.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the physical court starts so as to remove the defects.

Heard, learned counsel for the petitioner, Mr. P.S. Dayal and learned counsel for the State, Mr. S.K. Srivastava.

Learned counsel for the petitioner has submitted that petitioner is apprehending his arrest in connection with Mandu (Kujju) P.S. Case No.211 of 2019, for the offence registered under Sections 420, 406, 34 IPC and Section 138 of the Negotiable Instrument Act.

Learned counsel for the petitioner has submitted that as per the FIR, it is alleged that the informant has paid Rs.60,000/- to Ritesh Malhotra @ Pintu Sharma and Raj Gupta for providing a job in reliance Power.

Learned counsel for the petitioner has further submitted that Raju Gupta had issued cheque, which was dishonoured by the Bank.

Learned counsel for the petitioner has thus submitted that petitioner may be enlarged on anticipatory bail as the money had been received by Ritesh Malhotra @ Pintu Sharma, who is proprietor of the firm.

Learned counsel for the State has opposed the prayer for bail and has

submitted that a detail counter-affidavit is necessary regarding involvement of the petitioner in the alleged offence.

Considering the rival submission of the parties, learned State counsel is granted four weeks time to file a detail counter-affidavit.

Learned counsel for the petitioner has submitted that petitioner is inclined to deposit Rs.10,000/- in the name of the complainant for grant of interim protection.

Let the petitioner deposit a sum of Rs.10,000/- before the court below by way of Bank draft in the name of the complainant.

List this case after four weeks.

In the meantime, no coercive steps shall be taken against the petitioner/ not to arrest the petitioner in connection with Mandu (Kujju) P.S. Case No.211 of 2019 pending in the court of learned Additional Chief Judicial Magistrate, Ramgarh.

(Kailash Prasad Deo, J.)