

IN THE HIGH COURT OF JHARKHAND AT RANCHI

(Criminal Miscellaneous Jurisdiction)

A.B.A. No. 3130 of 2020

Rajesh Mehta

..... Petitioner

Versus

1. The State of Jharkhand

2. Ranjan Pradeep

.....Opposite Parties

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO

Through:- Video Conferencing

For the Petitioner : Mr. Vikash Kumar, Advocate

For the State : Mr. P.D. Agarwal, A.P.P.

02/Dated: 09/09/2020

Learned counsel for the petitioner has submitted that though there are defect nos. 9(i) to 9(iii) in the anticipatory 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 defect.

Heard, learned counsel for the petitioner, Mr. Vikash Kumar and learned counsel for the State, Mr. P.D. Agarwal.

Learned counsel for the petitioner has submitted that petitioner is apprehending his arrest in connection with Complaint Case No.118 of 2019, for the offence under Sections 406/420 IPC.

Learned counsel for the petitioner has submitted that in the complaint it is alleged that this petitioner has taken Rs.26,75,000/- from the complainant rather it is a false statement as there was some monetary transaction between the parties, as such, a complaint case has been filed.

Learned counsel for the petitioner has further submitted that there was some financial transaction between the parties, but this huge amount has never been paid to the petitioner rather the petitioner has also paid some amount to the complainant, as such, there is some dispute with regard to financial transaction.

Learned counsel for the State has opposed the prayer for bail and has submitted that this case is arising out of a complaint case, as such, notice may be issued to the O.P. No.2.

Considering the rival submission of the parties, let notice be issued to O.P. No.2 under both process i.e. under registered cover with A/D as well as under ordinary process for which requisites etc. must be filed within two weeks.

O.P. No.2 may file counter-affidavit, if so desires.

Put up this case after appearance of the O.P. No.2.

In the meantime, no coercive steps shall be taken against the petitioner/ not to arrest the petitioner in connection with Complaint Case No.118 of 2019 pending in the court of learned J.M. 1st Class at Seraikella.

(Kailash Prasad Deo, J.)