

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3255 of 2020

Shekhar Keshri @ Shekhar Babu ...	Versus	Petitioner
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	:	Mr. A.K. Sahani, Advocate
For the State	:	Mr. Shekhar Sinha, P.P.
For the Informant	:	Mr. O.P. Sinha, Advocate

Order No.02 Dated- 10.09.2020

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Korra P.S. Case No.02 of 2020 registered under sections 406/420 of the Indian Penal Code.

Heard the learned counsel for the petitioner and learned Addl. P.P. for the State.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner being the proprietor of Keshri Trading was in business terms with the informant who is a retail dealer of cement but the petitioner did not supply the cement worth Rs.3,04,000/- though the said amount has been paid through RTGS transfer to the account of the petitioner. It is further submitted that the allegations against the petitioner are all false and drawing attention of this Court to Annexure-5 and 5/1 of the brief which are the copies of the consignment note of transporter namely Tej Transport, it is submitted that by the said two consignment notes, the

consignment of cement in respect of the payment of Rs.3,04,000/- has been handed over to the informant by the said Tej Transport and may be because of some mistake, the informant has lodged this case. It is next submitted that the dispute between the parties is basically a civil dispute and there is no allegation of any dishonest intention of the petitioner at the time of alleged entrustment of money to the petitioner by the informant and admittedly the petitioner and the informant were having business relation before this occurrence took place. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of four weeks from the date of this order, he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hazaribagh, in connection with Korra P.S. Case No.02 of 2020 with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)