

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3256 of 2020

Mahendra Singh	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Afaq Rashidi, Advocate
For the State	: Mr. Suraj Verma, Spl. P.P.

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 Netarhat P.S. Case No.11 of 2016 (G.R. No. 611 of 2016) registered under sections 409/420/120B of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner being the Nazir of B.D.O. Mahuadhar along with co-accused persons have defalcated a sum of Rs.5,07,500/-. It is further submitted that the petitioner is ready and willing to deposit Rs.1,01,500/- with the Block Development Officer, Mahuadhar. It is then submitted that the allegation against the petitioner are all false and he has been implicated in this case only because he is the Nazir of the B.D.O. office. It is next submitted that the petitioner is ready and willing to cooperate with the investigation of the case. It is lastly submitted that the co-accused person whose case stands on the similar footing has already been given the privilege of anticipatory bail by this Court vide order dated 22.02.2019 in A.B.A. No.659 of 2019.

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 showing the proof of deposit of Rs.1,01,500/- with the Block Development Officer, Mahuadhar and 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 C.J.M., Latehar, in connection with Netarhat P.S. Case No.11 of 2016 (G.R. No. 611 of 2016) 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.

At the time of conclusion of the trial, learned trial court will pass appropriate order regarding the money if any, deposited with the Block Development Officer, Mahuadhar.

(Anil Kumar Choudhary, J.)