

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 409 of 2020

Md. Imroz

..... Petitioner

Versus

The State of Jharkhand

..... Opp. Parties

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

Through Video Conferencing

For the Petitioner(s)

: Mr. P.P.N. Rai, Advocate

For the State

: Mr. Satish Kumar Keshri, APP

For the O.P. No. 2

: Mr. Afaque Rashidi, Advocate

Order No. 07

Dated 25th June 2020

Heard the learned counsel for the respective sides.

The petitioner apprehends his arrest in connection with Bahragora P.S. Case No. 45 of 2019.

It has been alleged that the informant and the petitioner had started a partnership business for manufacturing bricks. The informant meanwhile was taken into custody in a case and when he came out from the jail he came to know that the accused persons had taken away all tools and machinery without informing him. It has further been alleged that the petitioner also did not give him his share of profit.

It has been stated by learned senior counsel for the petitioner that the allegations itself are false. It has further been stated that the petitioner had started a brick manufacturing business with one Banti @ Abhishek Kumar.

Mr. Afaque Rashidi, learned counsel appearing for the opposite party No. 2 submits that on going through Annexure-A to the counter affidavit it would be absolutely clear that there was a business relationship between the petitioner and the informant. It has further been stated that an absolutely false statement has been made relating to an agreement entered into between the petitioner and Abhishek Kumar as no such agreement exists. It has also been stated that in Annexure-3 of the petition which has been relied upon by the learned senior counsel for the petitioner there is no signature of the informant and therefore the veracity or truthfulness of such document itself suffers from grave doubt.

Even if the allegations are taken to be true, the same relates to some disputes arising out of sharing the profit of a partnership business and such allegations would invite grant of anticipatory bail to the petitioner.

In such view of the matter therefore, the petitioner, named above, is

2.

directed to surrender in the court below within four weeks from today and on such surrender, he shall be 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 Sub Divisional Judicial Magistrate, Ghatshila, East Singhbhum in connection with Bahragora P.S. Case No. 45 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(RONGON MUKHOPADHYAY,J.)

MK