

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 697 of 2020

Nikhil Kumar Singh

.... Petitioner

Versus

1. The State of Jharkhand

2. Munna Choudhary

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

Through Video Conferencing

For the Petitioner : Mr. D. K. Chakraverty, Advocate

For the State : Mr. P. K. Appu, A.P.P.

For the O.P. No. 2 : Mr. Rakesh Kumar, Advocate

Order No. 05

Dated 24th June 2020

Heard the learned counsel for the respective sides.

The petitioner apprehends his arrest in connection with C.P. Case No. 593 of 2019, pending before the Court of learned Judicial Magistrate, 1st Class, Bokaro.

It has been alleged that the petitioner had taken a friendly loan of Rs. 3,17,150/- from the complainant on different dates. On demand, the petitioner had given a postdated cheque which was dishonored.

On 25.05.2020, Mr. D. K. Chakraverty, learned counsel for the petitioner had stated that he is ready to deposit an amount of Rs. 2 Lakhs before the learned trial court. Today a copy of the draft has been sent through e.mail to this Court from which it appears that the said draft drawn in favour of the opposite party no. 2 has already been deposited. Mr. Rakesh Kumar, learned counsel for the opposite party no. 2 has also on instruction submitted that the draft has been deposited before the learned court below.

In such view of the matter, therefore, the interim anticipatory bail granted to the petitioner on 13.02.2020 in connection with C.P. Case No. 593 of 2019 is hereby confirmed.

However, it is made clear that since the draft drawn in the name of opposite party No. 2 has already been deposited before the learned court below, the opposite party No. 2 shall be at liberty to withdraw the said draft on making necessary application before the concerned court and the concerned court on proper verification shall release the draft in favour of the opposite party No. 2, if any such application is preferred by him.

This application stands allowed.

(RONGON MUKHOPADHYAY,J.)