

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 8120 of 2021

Sobhit Ranjan @ Shobhit Ranjan @ Shobhit Ranjan Singh

... Petitioner

Versus

The State of Jharkhand

... Opposite Party

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

Through Video Conferencing

For the Petitioner : Mr. Sunil Singh, Advocate

For the State : Mr. V. S. Sahay, A.P.P.

For the O.P. No. 2 : Mr. Rohit Ranjan Prasad, Advocate

Order No. 02

Dated 07th September, 2021

Heard the learned counsel appearing for the respective parties.

Defect No. 9(iii), as pointed out by the office, is ignored.

The petitioner is an accused in connection with Complaint Case No. 263 of 2018.

The husband of the complainant had given Rs. 3 Lakhs as loan to the petitioner as the petitioner needed the money for his business. In return as security, the petitioner had given two cheques of Rs. 1.5 Lakhs each. It has been alleged that subsequently he had taken another Rs. 20 Lakhs from the husband of the informant, but neither the money was returned nor any profit arising from the business was shared by the petitioner.

It appears that the matter was sent for mediation and at the same time Rs. 3 Lakhs was paid by the petitioner to the complainant. As per the mediation the petitioner was to pay Rs. 11 Lakhs to the complainant in different installments as enumerated in the said report.

Mr. Rohit Ranjan Prasad, learned counsel for the opposite party No. 2 has submitted that a total amount of Rs. 23 Lakhs was due from the petitioner, but by way of good gesture and to let the case comes to its logical conclusion, the complainant was ready to accept an amount of Rs. 11 Lakhs towards full and final settlement, but even then the petitioner has resiled from such mediation and apart from paying only three lakhs he has not paid any further amount.

Mr. Sunil Singh, learned counsel appearing for the petitioner on instruction submits that the petitioner is ready to deposit an amount of Rs. 3 Lakhs at the time of furnishing of bail bond.

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It appears that out of a total amount of Rs. 11 Lakhs as had been agreed upon between the parties, Rs. 3 Lakhs had already been paid to the complainant by the petitioner and a further amount of Rs. 3 Lakhs has been undertaken to be paid by the petitioner to the complainant at the time of furnishing bail bond as per the submission advanced by the learned counsel for the petitioner. The petitioner has remained in custody for a period of almost four months.

On consideration of the aforesaid facts, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ranchi in connection with Complaint Case No. 263 of 2018, subject to the condition that at the time of furnishing bail bond the petitioner will deposit a demand draft of Rs. 3 Lakhs drawn in the name of the complainant before the learned court below.

It is made clear that if the petitioner deposits the demand draft, as indicated above, the learned court below shall notice the complainant and thereafter on proper verification shall release the demand draft of Rs. 3 Lakhs to her. The deposit of the aforesaid amount shall be without prejudice to the rights of the petitioner.

(RONGON MUKHOPADHYAY,J.)