

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6415 of 2021

1. Somnath Basu				
2. Sumit Chaudhary				
3. Ajay Pandey	Petitioners
Versus				
The State of Jharkhand	Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. Sheo Kr. Singh, Advocate
For the State	:	Mr. Sanat Kr. Jha, Addl.P.P
For the Informant	:	Mr. Soumitra Baroi, Advocate

Order No.02 Dated- 08.09.2021

Heard the parties through video conferencing.

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

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

Apprehending their arrest in connection with Ghatshila P.S. Case No.30 of 2021 instituted under Sections 420, 406, 500, 120B, 34 of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioner No.1 is the son, petitioner No.2 is the brother of the co-accused and petitioner No.3 is the driver of the co-accused and the informant had paid Rs.3,00,000/- to the petitioner No.1 through R.T.G.S. Payment for the purpose of purchase of sanitary napkins. It is submitted that the allegation against the petitioners is false. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case and to jointly pay Rs.3,00,000/- without prejudice to their defence in this case in favour of the informant. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State being assisted by the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned A.C.J.M., Ghatshila within four months from today and in the event of their arrest or surrendering, they will be enlarged on bail on jointly depositing a demand draft of Rs.3,00,000/- without prejudice to their defence in this case drawn in favour of the informant and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Ghatshila in connection with Ghatshila P.S. Case No.30 of 2021 **with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioners deposit the said demand draft, the court below is directed to issue notice to the informant of this case and on his proper identification, the court below shall handover the same to him forthwith.

In case the petitioners jointly pay Rs.3,00,000/- to the informant of this case, learned court below will pass an appropriate order regarding the same at the time of conclusion of trial.

(Anil Kumar Choudhary, J.)