

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6443 of 2021

Chandan Kumar Gupta Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Sheo Kr. Singh, Advocate
For the State : Mr. Prabhu D. Agrawal, Spl.P.P

Order No.02 Dated- 09.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioner 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 petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest in connection with Bhawnathpur P.S. Case No.99 of 2021 instituted under Sections 188, 420, 34 of the Indian Penal Code and Section 7 of Essential Commodities Act, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner used to make short supply of 1.219 kg per sack of rice to the P.D.S. beneficiaries. It is submitted that the allegation against the petitioner is false. Drawing attention of this Court towards para-17 of the instant bail application, learned counsel for the petitioner submits that the petitioner has no criminal antecedent. It is then submitted that the petitioner was allocated 2425 kg of rice in the month of March, 2020. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and to deposit Rs.2,000/- with the District Supply Officer, Garhwa without prejudice to his defence in this case subject to final decision of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Spl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and

circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court of learned S.D.J.M., Garhwa within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on showing proof of deposit of Rs.2,000/- with the District Supply Officer, Garhwa and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Garhwa in connection with Bhawnathpur P.S. Case No.99 of 2021 **with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case** and further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioner deposits Rs.2,000/- with the District Supply Officer, Garhwa, learned court below will pass an appropriate order regarding the same at the time of conclusion of trial.

(Anil Kumar Choudhary, J.)