

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
A.B. A. No. 6072 of 2021

Sumitra Devi ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

**Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

For the Petitioner : Mr. S.K. Upadhyay ,Adv.  
For the State : Mr. SardhuMahto ,Addl. P.P.

**02/03.09.2021**

Heard the parties through Video Conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned counsel for the petitioner the defects pointed out by the Stamp Reporter are ignored for the present.

Apprehending her arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Bariatu P.S. Case No. 294 of 2018 registered under Sections 420, 406, 506, 120B of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the informant gave the friendly loan of Rs. 5,00,000/- to the petitioner and the neighbour of the informant paid Rs. 2,70,000/- and the member of the informant party namely Pushpa Devi and Shobha Devi paid Rs. 2,70,000 and 1,50,000/- respectively to the petitioner and the petitioner in criminal conspiracy with the co-accused persons gave three cheques of Rs. 3,50,000/- to the informant and others but the same was dishonored. It is submitted that the allegation against the petitioner is false. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and undertake to pay Rs. 3,50,000/- to the victims without prejudice to his defence in this case out of which she will give ₹ 1

lakh each to the informant and Shobha Devi and ₹ 150,000/- to Pushpa Devi subject to final decision of this case and co-accused with similar allegations have already been granted privilege of anticipatory bail by this court vide order dated 29.07.2021 passed in ABA no. 4714 of 2021 hence, the petitioner be given the privilege of anticipatory bail.

The learned Addl. PP opposes the prayer for anticipatory bail of the petitioner.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Hence, in the event of arrest by the police or surrender within a period of six weeks from the date of this order, the petitioner shall be released on bail on depositing Rs. 3,50,000/- in shape of two demand drafts of ₹ 1 lakh each drawn in favour of the informant and Shobha Devi and one demand draft of ₹ 150,000/- drawn in favour of Pushpa Devi without prejudice to her defence, subject to final decision in the case and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned JMFC, Ranchi in connection with Bariatu P.S. Case No. 294 of 2018 subject to the condition that the petitioner will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of *Aadhaar* card at the time of surrender in the court below with an undertaking not to change mobile number during the pendency of the case along with the other conditions laid down under section 438 (2) Cr. P.C.

In case of depositing aforesaid demand draft by the petitioner, learned court below is directed to issue notice to the informant and in the said two victims and release the demand drafts in their favour on proper identification forthwith.

In case the petitioner deposits Rs. 3,50,000/-, learned court below will pass an appropriate order regarding the same at the time of conclusion of trial.

**(ANIL KUMAR CHOUDHARY, J.)**

Smita/-