

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6232 of 2021

Vinay Kumar Singh @ Chunnu Singh

.... Petitioner

Versus

The State of Jharkhand

.... Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Nilesh Kumar, Advocate

For the State : Mr. Satish Prasad, Addl.P.P

Order No.02 Dated- 06.09.2021

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 Dhurwa(T) P.S. Case No. 55 of 2021 instituted under Sections 386, 387, 120-B of the Indian Penal Code, 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 one of the gangsters is demanding extortion money by using the phone of the petitioner and the petitioner has already been paid a part of the extortion money of Rs.2 lakhs out of the total extortion amount of Rs.20 lakhs. It is further submitted that though the alleged part payment of extortion amount is made on 07.03.2021 but no F.I.R. in respect of the same was lodged and only on 15.03.2021 after an unexplained delay, this F.I.R. of the case has been registered in respect of this occurrence which took place on 13.03.2021. It is submitted that the allegation against the petitioner is false. It is next submitted that in fact the petitioner is owner-cum-proprietor of Mahesh Motors, Hatia, Ranchi and the informant purchased some motors parts from the said shop of the petitioner, the copies of bills of which have been sent through e-mail by learned counsel for the petitioner to the court master of this Court and as the petitioner demanded the said money from the informant, the informant in order to avoid the payment of the said amount, has made out this false case. It is next submitted that the informant is also a criminal and he is also extorting money from the villagers and the villagers also submitted report to the Officer-

in-Charge, Tupudana O.P. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and undertakes to pay Rs.2,00,000/- without prejudice to his defence in this case to the informant subject to final decision of this case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.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 within four months from today and in the event of his arrest or surrendering, the petitioner will be enlarged on bail on depositing a demand draft of Rs.2,00,000/- without prejudice to his defence in this case drawn in favour of the informant 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 CJM, Ranchi in connection with Dhurwa(T) P.S. Case No. 55 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

In case the petitioner deposits Rs.2,00,000/-, learned court below will pass an appropriate order regarding the same at the time of conclusion of trial.

(Anil Kumar Choudhary, J.)