

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6293 of 2021

1. Samir Das		
2. Sufal Biswas @ Sufal Bishwas	...	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. Subodh Kr. Dubey, Addl. P.P.

Order No.02 Dated- 07.09.2021

Heard the parties through video conferencing.

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

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

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Nawa Bazar P.S. Case No.24 of 2019 registered under sections 323/341/406/420/467/468/471/500/504/506/34 of the Indian Penal Code.

The Learned counsel for the petitioners submits that the co-accused persons representing themselves to be the agent of Uni Trade Commercial Private Ltd. and Unique Trade Pvt. Ltd. of which the petitioners are the manager and coordinator took Rs.2,00,000/- from the informant and Rs.3,00,000/- from his wife promising of alluring returns but neither paid any money nor returned the principal amount and the cheque given by the petitioners of Rs.3,26,000/- to the informant was dishonoured because of insufficiency of funds. It is further submitted that the allegations against the petitioners are all false. It is then submitted that the petitioners are ready and willing to jointly pay Rs. 3,26,000/- to the informant without prejudice to their defence in

this case, subject to final decision of the case and undertake to cooperate with the investigation of the case. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of four months from the date of this order, they shall be released on bail on jointly depositing a demand draft of Rs. 3,26,000/- drawn in favour of informant without prejudice to their defence in this case, subject to final decision of the case and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M., Palamau, in connection with Nawa Bazar P.S. Case No.24 of 2019 with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile numbers and a copy of their Aadhar Cards in the court below with the undertaking that they will not change their mobile numbers during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioners deposit the aforesaid demand draft, the court below is directed to issue notice to the informant and hand over the said demand draft to him, after proper identification.

At the time of conclusion of the trial, the trial court will pass appropriate order regarding the money if any, deposited by the petitioner with the informant in connection with this case.

(Anil Kumar Choudhary, J.)