

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6294 of 2021

1. Sunil Das
2. Manik Das @ Manik Chandra Das
3. Bhusan @ Bhuwan Das @ Bhuban Das
4. Anjala Das @ Anjani Bala Das ... Petitioners

Versus

The State of Jharkhand & Anr. ... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Lalit Yadav, Advocate
For the State : Mr. Pradeep Kr. Verma, 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 P.C.R. Case No.833 of 2019 registered under sections 406/420 of the Indian Penal Code but cognizance has been taken under Section 406 of Indian Penal Code.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners in need of money offered to assign their land for payment of Rs.3,00,000/- and he took Rs.2,50,000/- through bank transaction and Rs.50,000/- in cash and executed the deed of agreement but has cheated the complainant by claiming back the said land. 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. 2,50,000/- to the complainant without prejudice to their defence in this case, subject to final decision of the case and undertake to cooperate with the trial 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. 2,50,000/- drawn in favour of complainant 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 S.D.J.M., Jamtara, in connection with P.C.R. Case No.833 of 2019 with the condition that the petitioners will cooperate with the trial 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 complainant 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 to be paid to the complainant in connection with this case.

(Anil Kumar Choudhary, J.)