

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No. 6326 of 2021**

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Sanjiv Kumar Yadav	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

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

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For the Petitioner	:	Mr. Baban Prasad, Advocate
For the State	:	Mrs. Mohua Palit, Addl. P.P.

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**Order No.02 Dated- 08.09.2021**

Heard the parties through video conferencing.

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

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Sahibganj (Town) P.S. Case No.140 of 2020 registered under sections 400/420/379/467/468 of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner entered into an agreement and took Rs.1,00,000/- as advance at the time of execution of the agreement and subsequently took Rs.3,35,000/- from the informant. It is further alleged that the petitioner is neither executing the sale deed nor returning the money. It is further submitted that the allegations against the petitioner are all false. It is next submitted that the petitioner is ready and willing to pay Rs.4,35,000/- to the informant without prejudice to his defence in this case, subject to final decision of the case and undertakes to cooperate with the investigation of the case. Hence, it is submitted that the petitioner 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 petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of four months from the date of this order, he shall be released on bail on depositing a demand draft of Rs.4,35,000/- drawn in favour of informant without prejudice to his defence in this case, subject to final decision of 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 C.J.M., Sahibganj, in connection with Sahibganj (Town) P.S. Case No.140 of 2020 with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioner deposits the aforesaid amount by way of demand draft drawn in favour of the informant, 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 learned trial court will pass appropriate orders regarding the amount, if any, deposited by the petitioner with the informant in connection with this case.

**(Anil Kumar Choudhary, J.)**

Sonu/Gunjan-