

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6346 of 2021

Suresh Kachhap	...	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.
For the Informant	:	Mr. Gautam Kr. Singh, Advocate

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 Argora P.S. Case No.31 of 2018 arising out of Complaint Case No.655 of 2016 (G.R. No. 629 of 2018) registered under sections 406/420/467/468/471/120B of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner in criminal conspiracy with the co-accused persons entered into an agreement for sale of the land with the informant and at the time of agreement, the petitioner and the co-accused-Amit Verma jointly received Rs.3,45,000/- from the informant as mentioned in the back side of the first page of the agreement for sale. It is further submitted that the allegations against the petitioner are all false and the informant did not perform his part of the agreement and there is no dishonest intention on the part of the petitioner at the time of alleged entrustment of money to him. It is then submitted that the petitioner is ready and willing to pay Rs. 3,95,000/- 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. and the learned counsel for the informant 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. 3,95,000/- 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 S.D.J.M., Ranchi, in connection with Argora P.S. Case No.31 of 2018 arising out of Complaint Case No.655 of 2016 (G.R. No. 629 of 2018) 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 demand draft, the court below is directed to issue notice to the informant and hand over the said demand draft to her, 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.)