

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6379 of 2021

Manohitesh Kumar @ Manohirtesh Kumar
... Petitioner
Versus
The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Pran Pranay, Advocate
For the State : Mr. Rajesh Kumar, Addl. P.P.

Order No.02 Dated- 06.09.2021

Heard the parties through video conferencing.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Namkum P.S. Case No.217 of 2020 registered under sections 406/420/120B of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner being a member of informant cooperative society has taken away Rs.37,00,000/- and out of which he has paid Rs.4,75,000/- and a sum of Rs.32,05,800/- is due against him. It is further submitted that the allegations against the petitioner are all false and in the restatement, the informant could only produce documents showing entrustment of Rs.25,00,000/- only to the petitioner and the sum of Rs.32,05,800/- being due from the petitioner; as claimed by the informant is baseless and there is no document in support of that claim of the informant. It is then submitted that the petitioner undertakes to pay Rs. 25,00,000/- to the High Tension Insulator Factory Employees Co-operative House Construction Society Limited, Namkum, Ranchi bearing account no.7910000100006778 without prejudice to his defence in this 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. 25,00,000/- as ad interim victim compensation drawn in favour of High Tension Insulator Factory Employees Co-operative House Construction Society Limited, Namkum, Ranchi bearing account no.7910000100006778 without prejudice to his defence in this 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 J.M., Ranchi, in connection with Namkum P.S. Case No.217 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, the court below is directed to issue notice to the authorized representative of High Tension Insulator Factory Employees Co-operative House Construction Society Limited, Namkum, Ranchi and hand over the said demand draft to him/her, after proper identification.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-