## IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 1443 of 2021

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Babulal Prasad Gupta ... 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. Sanjay Kr. Tiwari, Advocate : Mr. P.D. Agrawal, Addl. P.P.

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## Order No.02 Dated- 13.04.2021

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 Bhandariya P.S. Case No.77 of 2020 registered under sections 420 of the Indian Penal Code and under section 7 of the E.C. Act.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the case of the prosecution is that the petitioner being the key person of Badgad LAMPS Ltd. has misappropriated and embezzled huge amount of money by selling 122 tons of fertilizers at the rate of 540 per bag instead of selling the same at the stipulated price of Rs.266.50 per bag. It is further submitted that the allegations against the petitioner are all false and he has falsely been implicated in this case because of village politics. It is then submitted that the petitioner is a sick person. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. on the other hand vehemently opposes the prayer for grant of anticipatory bail and submits that keeping in view the fact that the petitioner has misappropriated and cheated huge amount of money running into several lakhs of rupees, custodial interrogation of the petitioner is required during the investigation of the case for recovery of the cheated amount and other details of the case, hence, it is submitted that the petitioner ought not be given the privilege of anticipatory bail.

Considering the serious nature of allegation against the petitioner as well as the requirement of his custodial interrogation during the investigation of the case, this Court is of the considered view that this is not a fit case where the above named petitioner be given the privilege of anticipatory bail. Accordingly, the prayer for grant of privilege of anticipatory bail of the above named petitioner is rejected.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-