

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No.1632 of 2021

Ignatius Hembrom Petitioner
Versus
The Union of India through C.B.I.Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. R. S. Mazumdar, Sr. Advocate
For the C.B.I. : Mr. B. K. Prasad, Advocate

Order No.02 Dated- 17.04.2021

Heard the parties through video conferencing.

Learned senior counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned senior counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest in connection with R.C. Case No.8(A)/2018-D registered under sections 120B/420/477 A of the Indian Penal Code as well as 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned senior counsel for the petitioner submits that the allegation against the petitioner is that the petitioner in conspiracy with the co-accused has made illegal exchange of currency notes of Rs.11,62,730/- by falsifying Summary Accounts, Rough Cash Register etc. and also made illegal exchange of WOS Bank Notes on the basis of fake/forged/bogus Request Slips and in this way illegal exchange has been made by him without Request Slips. It is submitted that the allegations against the petitioner are false and after investigation, charge sheet has already been submitted in this case. It is then submitted that the petitioner is ready and willing to deposit Rs.5,81,000/- with the Superintendent of Post Office, Dumka without prejudice to his defence in this case subject to final decision of the case. It is further submitted that since charge sheet has already been submitted and the petitioner has all along cooperated with the investigation of the case, hence the C.B.I. did not feel it necessary to arrest him during the investigation of the case and no fruitful

purpose will be served by denying the anticipatory bail of the petitioner. It is further submitted that the petitioner is still in service of the Postal Department, Government of India, hence there is no chance of his absconding. It is lastly submitted that the petitioner undertakes to cooperate with the trial. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned counsel appearing for the C.B.I. opposes the prayer for anticipatory bail of the petitioner.

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 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 showing the proof of deposit of Rs.5,81,000/- with the Superintendent of Post Office, Dumka and on furnishing bail bond of Rs. 1,00,000/- (Rupees One Lakh) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, C.B.I., Dhanbad, in connection with R.C. Case No.8(A)/2018-D with the condition that the he will cooperate with the trial and will appear before the learned trial court as and when ordered to do so during the pendency of the case and other conditions laid down under section 438 (2) Cr. P.C.

The Superintendent of Post Office, Dumka is directed to receive the amount of Rs.5,81,000/- if tendered by the petitioner and take steps appropriate the same to the account of the Government of India.

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 Superintendent of Post Office, Dumka.

(Anil Kumar Choudhary, J.)