

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1189 of 2021

Sonu Kumar Gupta @ Mukund Mani Kumar

.... Petitioner

Versus

The State of Jharkhand

....Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Umesh Kumar Choubey, Advocate

For the State : Mr. Shree Prakash Jha, Addl.P.P

Order No.02 Dated- 25.03.2021

Heard the parties through video conferencing.

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

Apprehending his arrest in connection with Tandwa P.S. Case No. 144 of 2020 instituted under Sections 379, 411/34 of the Indian Penal Code, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner along with the co-accused person committed theft of bundles of plastic coated copper wire from the premises of BHEL, NTPC, Tandwa. It is submitted that the allegation against the petitioner is false. It is next submitted that the petitioner has been implicated in this case only on the basis of confessional statement of the co-accused person. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and undertakes to pay ad interim victim compensation of Rs.10,000/- without prejudice to his defence in this case in favour of the informant NTPC. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioner is directed to surrender in the Court of learned C.J.M., Chatra within six weeks from today and in the event of his arrest or surrendering, the petitioner will be enlarged on bail on depositing a demand draft of Rs.10,000/- as ad interim victim compensation without prejudice to his defence in this case drawn in favour of the informant NTPC and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount to the satisfaction of learned C.J.M., Chatra in connection with Tandwa P.S. Case No. 144 of 2020 with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile numbers and photocopy of the Aadhar Card with an undertaking that he will not change their mobile numbers during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioner deposits the said demand draft, the court below is directed to issue notice to the informant and hand over the said demand draft to the informant after proper identification.

(Anil Kumar Choudhary, J.)