

given to her. It is next submitted that the petitioner no.1 has executed a power of attorney in favour of the brother of the informant and the brother of the informant executed a sale deed in favour of one Aasifa Hassan hence, the petitioner no.1 does not owe any money to the informant. It is also submitted that the dispute between the parties is a civil dispute. It is then submitted that the petitioners undertake to cooperate with the investigation of the case. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Addl. P.P. and the learned counsel for the informant on the other hand vehemently opposes the prayer for grant of anticipatory bail and submits that Aasifa Hassan is no way related to the informant and that is a separate transaction and the said transaction will not absolve the petitioners from their liability to the informant. It is then submitted by learned Addl. P.P. and the learned counsel for the informant that the custodial interrogation of the petitioners is required during the investigation of the case. Hence, it is submitted that the petitioners ought not be given the privilege of anticipatory bail.

Considering the serious nature of allegation against the petitioner no.1 of cheating huge amount of money of the informant 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 no.1 be given the privilege of anticipatory bail. Accordingly, the prayer for grant of privilege of anticipatory bail of the above named petitioner no.1 is rejected.

So far as the petitioner no.2 is concerned, considering the submissions of the counsels and the fact that there is no allegation of any entrustment of money or any property to her, I am of the opinion that it is a fit case where the above named petitioner no.2 be given the privilege of anticipatory bail. Hence, in the event of her arrest or surrender within a period of six weeks from the date of this order, she shall be released on bail 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., Giridih, in connection with Bagodar P.S. Case No.28 of 2020 with the condition that the petitioner no.2 will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish her mobile number and a copy of her Aadhar Card in the court below with the undertaking that she will not change her mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-