

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1287 of 2021

Anil Kumar Jhunjhunwala	...	Petitioner
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	:	Mr. Awanish Shekhar, Advocate
For the State	:	Mrs. Nehala Sharmin, Addl. P.P.

Order No.02 Dated- 05.04.2021

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 Deoghar Town P.S. Case No.164 of 2020 registered under sections 406/420/467/468/471 of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner being very well aware of the fact that there was a government notification through which a school and the building to the school has been acquired by the Government has sold the land of the Government to one Binod Shankar Jha. It is further submitted that the allegations against the petitioner are all false and the land in question was acquired by the mother of the petitioner vide sale deed no.2106 dated 13.12.1961 and the petitioner sold the same to Binod Shankar Jha. It is then submitted that earlier the said land was given to run Ram Mandir School with the condition that even after construction of the school building on the land, the ownership of the building shall vest with the owner of the land. It is also submitted that no illegality has been committed by the

petitioner and the dispute between the parties is basically a civil dispute. It is then submitted that the petitioner is ready and willing to cooperate with the investigation of the case and also undertakes that he will not disturb the possession of the said school over the land in question during the pendency 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 six weeks from the date of this order, he 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 C.J.M., Deoghar, in connection with Deoghar Town P.S. Case No.164 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 with further condition that he will not disturb the possession of the said school over the land in question during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)