

(2023) 09 JH CK 0007
In the Jharkhand High Court
Case No : A.B.A. No. 3060 Of 2023

Dileshwar Prasad Singh

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 04-09-2023

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 406, 420, 467, 468
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2023) 09 JH CK 0007

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Akash Deep, Rajendra R. R. Das, Nanda Kumari

Judgement

Anil Kumar Choudhary, J

Heard the parties.

Apprehending his arrest in connection with Dhurwa P.S. Case No.245 of 2022 instituted under Sections 406, 420, 467, 468 and 120 B 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 has taken Rs.6,00,000/- from the informant out of which Rs.1,00,000/- was taken in cash and Rs.5,00,000/- was taken in cheque and the co-accused Vijay Rao has returned Rs.1,20,000/- to the informant. It is submitted that the allegation against the petitioner is false. It is next submitted that there is no document in the record to show that money was ever transferred to the account of the petitioner though it is stated that the money was paid by cheque. It is next submitted that the petitioner has been implicated in this case only on the basis of surmises and presumption. It is also submitted that admittedly the amount was paid in favour of one Rajiv Ranjan and the petitioner has no concern with any Rajiv Ranjan. It is lastly submitted that

the petitioner undertakes to co-operate with the investigation of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State being assisted by the learned counsel for the opposite party No.2 oppose 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 petitioner. Accordingly, the petitioner is directed to surrender in the Court below within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Ranchi in connection with Dhurwa P.S. Case No.245 of 2022 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 number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case and further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.