

(2023) 09 JH CK 0049
In the Jharkhand High Court
Case No : A.B.A. No. 10631 Of 2022

Gulam Rabbani @ Gualm Rabbani

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 19-09-2023

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 406, 420, 467, 468
Code Of Criminal Procedure, 1973 — Section 39, 438(2)

Citation : (2023) 09 JH CK 0049

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Dilip Kr. Chakraverty, Sanjay Kr. Srivastava, Shadab Eqbal

Judgement

Anil Kumar Choudhary, J

Heard the parties.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Sector 12 P.S. Case No.69 of 2022 registered under sections 406/ 420/467/468/120B of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has taken Rs.29,00,000/- from the informant for arranging jobs for the informant and others. It is further submitted that the allegations against the petitioner are all false and there is no document to show any entrustment of money to the petitioner and the informant has forcibly obtained the signature of the petitioner on a plain paper dated 08.03.2022 wherein, it is stated to have been confessed by the petitioner that he took in total Rs.28,89,000/- on two different dates being 01.09.2020 and 24.06.2021 from the informant. It is next submitted by drawing attention of this Court to Annexure-2 at page no.18-19 of the brief, which is a copy of the certified copy of the informatory petition filed under Section 39 of Code of Criminal Procedure in the court of C.J.M., Bokaro about forcibly obtaining the signature of the petitioner

on plain paper prior to lodging of the FIR and subsequently, as a counter blast, this FIR has been lodged. It is next submitted that the petitioner has is a permanent employee of Bokaro Steel Plant and he has no criminal antecedent. It is then submitted that the petitioner undertakes to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. and the learned counsel for the informant 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 J.M. 1st Class, Bokaro, in connection with Sector 12 P.S. Case No.69 of 2022 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 subject to the conditions laid down under section 438 (2) Cr. P.C.