
(2020) 05 JH CK 0055

In the Jharkhand High Court

Case No : Anticipatory Bail Application No. 1196 Of 2020

Rajiv Kumar @ Gunajn Singh And Ors

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 11-05-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 420, 467, 468
Code Of Criminal Procedure, 1973 — Section 438

Citation : (2020) 05 JH CK 0055

Hon'ble Judges : Sujit Narayan Prasad, J

Bench : Single Bench

Advocate : Ashish Kumar, Naresh Prasad Thakur

Judgement

The matter has been heard through video conferencing. There is no complaint about audio and visual connectivity.

Petitioners have filed the present application for grant of anticipatory bail expressing their apprehension of arrest for alleged offences inter-alia under Sections 467, 468, 420 and 34 of the Indian Penal Code.

Heard learned counsel for the petitioners and learned counsel for the State.

The case has been listed under the heading for "Order with defects".

Mr. Ashish Kumar, learned counsel appearing for the petitioner has submitted that the defect has been removed by filing supplementary affidavit stating about status of the trial.

It has been submitted on behalf of the petitioner that he has been implicated in this case merely on account of the fact that he is the owner of the hotel. He further submits that no incriminating article has been recovered from his physical possession, rather, the recovery of the alleged forged documents have been made from one Arvind Singh and Sudhir Kumar and in view thereof, submission has been made to enlarge the petitioner on anticipatory bail in exercise of the

power conferred under Section 438 Cr.P.C.

On the other hand, Mr. Naresh Prasad Thakur, learned Additional Public Prosecutor appearing for the State has submitted that the allegation is serious and several incriminating documents pertaining to GST etc. have been recovered from the hotel of these petitioners which were under the physical possession of Arvind Singh and Sudhir Kumar and on being apprehended they have disclosed the name of these petitioners in their confessional statements. He further submits that the case diary is required to be seen.

This Court, after hearing the learned counsel for the parties deems it fit and proper to call for the Case Diary and antecedent report of the petitioners.

Let this case be listed immediately after receipt of the Case Diary and antecedent report before appropriate available Bench.