

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 1860 of 2016**

...
Brij Bihari Singh, son of late Jamuna Singh, resident of Hill View Colony, Road No.4, Dimna Road, Jamshedpur, PO & PS MGM Jamshedpur, District East Singhbhum ... Petitioner
-Versus-
The State of Jharkhand Opposite Party

CORAM :- HON'BLE MR. JUSTICE RATNAKER BHENGRA

...
For the Petitioner :- Mrs. Jasvindar Mazumdar, Advocate.
For the Opp. Party :- Mr. Sanjay Kr. Pandey-2, A.P.P.

...
03/31.05.2016: The present application has been filed under Sections 438 and 440 of the Code of Criminal Procedure seeking anticipatory bail as the petitioner is apprehending his arrest in connection with Silli P.S. Case No. 89 of 2015, corresponding to GR No. 5317 of 2015, registered for the offence punishable under Sections 420, 467, 468, 471 and 34 of the Indian Penal Code, now pending in the Court of learned Judicial Magistrate, 1st Class, Ranchi.

Heard learned counsel for both the sides.

Counter affidavit has been provided by the counsel for the State today.

Learned counsel for the petitioner has pointed out the order passed in A.B.P. No. 1334 of 2015 dated 18.02.2016, wherein, it is seen that petitioner has submitted that he is ready to get the work reconstructed on his own cost and the report was called for from the IO.

Learned counsel for the petitioner has submitted that estimated amount for reconstruction is approximately Rs.21.50 lakhs and petitioner is willing to deposit Rs. 10.75 lakhs, therefore, some time may be allowed to him to arrange the amount. Though, not sure about the authorization of this Rs. 21.50 lakhs, nevertheless, he is willing to pay half of the amount.

Learned APP appearing on behalf of the State has opposed the anticipatory bail application and submitted that

Rs.19.50 lakhs was released on the recommendation of this petitioner, whereas, Rs.2.00 lakhs was released at the instance of co-accused Anil Kumar Sinha.

Having gone through the case records and after hearing the learned counsel for both the sides, I am inclined to grant anticipatory bail to the petitioner and accordingly, petitioner Brij Bihari Singh is directed to surrender in the court below within four weeks from today and on such surrender, he shall be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Ranchi in connection with Silli P.S. Case No. 89 of 2015, corresponding to GR No. 5317 of 2015, subject to the condition that petitioner shall deposit the amount of Rs. 10.75 lakhs in the court below subject to the outcome of the case, and also subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ratnaker Bhengra, J.)

S.B.