

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A.No. 5112 of 2016

Bandhan Munda

..... Petitioner

Versus

The State of Jharkhand

.... Opposite party

CORAM: HON'BLE MR. JUSTICE ANANT BIJAY SINGH

For the Petitioner

: Mr. Shruti Shrestha, Adv.

For the C.B.I.

: Mr. K.P.Deo, Adv

05/Dated: 31.01.2017

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

The petitioner is apprehending his arrest in connection with the case registered under Sections 420, 468, 471 of the Indian Penal Code and Section 13(2) read with (13) (1)(d) of the Prevention of Corruption Act, 1988.

Brief facts of the case is that informant received information through reliable source that Sri Babu Chand Ram, Amin in CCL, Rajrappa Area, Sri Thakur Das Mahto, Tripman, CCL, Rajrappa Project and Shri Arvind Tirkey, Helper, CCL, Rajrappa Project while posted as above entered into criminal conspiracy with six private persons, namely, (1) Sri Chandan Kumar, (2) Smt. Mira Kumari (3) Sri Arvind Ekka (4) Sri Bandhan Munda (5) Akhilesh Kumar Pingle (6) Sulekha Kumari and abused their official position as public servant for causing under favour to the above named persons in getting employment as General Mazdoor, Category-1 under Rehabilitation & Resettlement (R&R) Policy 2012 of CIL in CCL, Ranchi during the period of 2014-15 on the basis of fake genealogical certificate. On the said allegation F.I.R. has been registered as RC11(A)/2015.

Learned counsel for the petitioner has submitted that the petitioner is beneficiary. The petitioner is descendants of the recorded tenants whose lands have been acquired by CCL and he got job on the basis of genealogical table and the said genealogical table issued by Circle Officer, Ramgarh and the same was sent for verification to C.O, Ramgarh and was verified

by the C.O, Ramgarh and confirmed the same. It is further submitted that the petitioner is facing departmental proceeding and if he is taken into custody, he will suffer irreparable loss and injury.

Learned standing counsel for the C.B.I has vehemently opposed the prayer for anticipatory bail and submitted that the petitioner has dishonestly and fraudulently obtained employment on the basis of fake genealogical certificate bearing no.318 issued by C.O, Ramgarh. As per the fake genealogical certificate petitioner is the son of late Dolly, great grand daughter of Sri Komal Tirkey, owner of land, however, the same is proved false during investigation that the petitioner is the son of late Ram Charan Munda and Sherofina Devi, who is not the descendant of the recorded tenant and is not eligible for the job. Hence, he does not deserve for anticipatory bail.

Be that as it may, I am inclined to admit the petitioner on anticipatory bail. The above named petitioner is directed to surrender in the Court below within four weeks from the date of this order and in the event of his arrest or surrender, the Court below shall enlarge the above named petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.J.C. Special Judge, C.B.I., Ranchi, in connection with R.C. Case No.11(A)/2015 (R), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. Subject to further condition that petitioner shall deposit Rs.20,000/- to the Jharkhand High Court Advocates' Welfare Association before surrender.

Let a copy of this order be communicated to the court below and also send to the Jharkhand High Court Advocates' Welfare Association.

(Anant Bijay Singh, J.)

Fahim/