

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 1100 of 2019

Dr. Pradyuman Kumar ... Petitioner
Versus
1. The State of Jharkhand
2. Mahendra Yadav ... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Indrajit Sinha, Advocate
For the State : Addl. P.P.
For the O.P. No.2 : Mukesh Kumar, Advocate

Order No.04 Dated- 30.04.2019

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with C.P. Case No.2371 of 2017 registered under sections 420 of the Indian Penal Code.

Heard the parties.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has taken Rs.97,86,375/- from the complainant through RTGS, cheques and cash for transfer of the share namely Sai Baba Mining & Crushing Pvt. Ltd. but he has not transferred the same. It is further submitted that the allegation against the petitioner are all false. It is then submitted that no money has been transferred to account of the petitioner by the complainant and one of the directors namely Dilip Pandey of Sai Baba Mining & Crushing Pvt. Ltd. also lodged an FIR vide Nawada (Town) P.S. Case No.747 of 2015 against the Mukesh Kumar another director of the company on whose behest this complainant has been lodged by the complaint. It is then submitted that the complainant-opposite party no.2 does not have any chit of paper to show any entrustment of money to the petitioner by the complainant-opposite party no.2. It is lastly submitted that the petitioner is ready and willing to cooperate with the trial. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. and the learned counsel for the opposite party no.2 opposes the prayer for grant of anticipatory bail but fairly concedes that the complainant-opposite party no.2 does not have any cheat of paper to show any entrustment of money to the petitioner by the complainant-opposite party no.2.

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 four 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 Judicial Magistrate-1st Class, Dhanbad, in connection with C.P. Case No.2371 of 2017 with the condition that the petitioner will cooperate with the trial and other conditions as laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-