

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 4433 of 2020**

Saud Khan ... Petitioner
Versus
The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. S.K. Singh, Advocate
For the State : Mr. V.S. Sahay, Addl. P.P.

Order No.02 Dated- 30.09.2020

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Mohammadganj P.S. Case No.18 of 2020 registered under sections 420/406 of the Indian Penal Code and under Section 7 of Essential Commodities Act.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner is a PDS dealer and he has misappropriated food grains of 69.5 quintals. It is further submitted that the allegation against the petitioner are all false and the petitioner handed over the said to another PDS Dealer by the order of Block Development Officer. It is next submitted that the petitioner has no criminal antecedent as has been mentioned in paragraph no. 14 of the anticipatory bail application. It is then submitted that the petitioner is ready and willing to deposit Rs.70,000/- with the B.D.O., Mohammadganj, Palamau without prejudice to his defence in this case and 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. 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 four months from the date of this order, he shall be released on bail on showing the proof of deposit Rs.70,000/- with the B.D.O., Mohammadganj, Palamau and 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 S.D.J.M., Palamau at Daltonganj, in connection with Mohammadganj P.S. Case No.18 of 2020 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.

At the time of conclusion of the trial, the trial will pass appropriate order regarding the money if any, deposited by the petitioner with the B.D.O., Mohammadganj, Palamau.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-