

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.8950 of 2021

Narayan Rai	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Tarun Kr. No.1, Advocate
For the State	: Mr. Veervijay Pradhan, Addl. P.P.

Order No.03 Dated- 31.01.2022

Heard the parties through video conferencing.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Dhanwar P.S. Case No.190 of 2012 registered under sections 406/409/420/467/468/471 of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner being the Panchayat Sewak was involved in embezzlement of a fund under the Indira Awas Scheme and the petitioner identified the signature of the fake beneficiaries of cheque in question though the beneficiaries in the enquiry conducted by the planning officer have stated that they have not received the benefits of the scheme. It is further submitted that the allegations against the petitioner are all false and the petitioner is an old retired person of 66 years suffering from several ailments. It is next submitted that there is an inordinate delay in lodging of the FIR. It is then submitted that the petitioner undertakes to deposit Rs. 1,50,000/- with the Deputy Commissioner, Giridih without prejudice to his defence in this case, subject to final decision of the 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 of Rs. 1,50,000/- with the Deputy Commissioner, Giridih without prejudice to his defence in this case, subject to final decision of the case 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 J.M., Giridih, in connection with Dhanwar P.S. Case No.190 of 2012 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 court will pass appropriate order regarding the money if any, deposited by the petitioner with the Deputy Commissioner, Giridih in connection with this case.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-