

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.9510 of 2023

Ravi Shankar	Petitioner
Versus				
1. The State of Jharkhand				
2. Rajnish Kumar Jha	Opposite Parties

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	:	Mr. Diwakar Jha, Advocate
For the State	:	Mr. Sardhu Mahto, Addl.P.P

Order No.03 Dated- 22/12/2023

Heard the parties.

Apprehending his arrest in connection with Complaint Case No. 1420 of 2021 registered under Sections 406, 420, 120B of the Indian Penal Code, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner, in criminal conspiracy with the co-accused persons, has cheated the complainant by getting a cheque issued by the co-accused Santosh Ram which was dishonored. It is then submitted that the allegations against the petitioner are all false. It is next submitted that the complainant received the said cheque from the co-accused person in lieu of the complainant selling his land to the co-accused Santosh Ram but undisputedly it was found out that the complainant was not having proper title in respect of the land which he purchased from his vendor. It is further submitted that the dispute between the parties is at best a civil dispute and at the most, the offence punishable under Section 138 of NI Act, is made out against the co-accused. It is further submitted that there is no allegation against the petitioner of having any intention to deceive complainant at the time of entering into the transaction between the parties. It is next submitted that the petitioner undertakes to co-operate with the trial of the case. It is lastly submitted that the co-accused, with similar allegations, has already been given the privileges of anticipatory bail by this Court vide order dated 04.10.2023 passed in A.B.A. No.7175 of 2023. Hence, it is submitted that on the principle of parity, the petitioner be also given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court below within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C, Koderma in connection with Complaint Case No. 1420 of 2021 **with the condition that he will co-operate with the trial of the case** and further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)

Animesh/