

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No. 3076 of 2022**

-----

1. Arindam Biswas					
2. Abhimanyu Kumar	....	....	....	Petitioners	
Versus					
The State of Jharkhand	....	....	....	Opposite Party	

**CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY**

For the Petitioners	: Mr. Amit Kumar Das, Advocate
For the State	: Mr. Prabhu Dayal Agrawal, A.P.P.
For the O.P. No.2	: Mr. Praveen Shankar Dayal, Advocate

**Oral Order**

**05/ Dated : 16.06.2022**

The anticipatory bail application filed on behalf of petitioner- Abhimanyu Kumar, who is apprehending his arrest in connection with Sakchi P.S. Case No.23 of 2022 for the offence registered under Sections 406, 409, 420, 468, 469, 477A, 120B, 34 of the I.P.C. pending in the Court of learned Chief Judicial Magistrate, Jamshedpur, is pressed into motion.

It is the case of the Complainant M/s Mascot Electromech (P) Limited that it was entrusted by Jamshedpur Utility Services Company (hereinafter referred to JUSCO) with the work of management of electricity distribution network along with 24x7 maintenance of those customers in the Bagan Area, Jamshedpur and taking up the meter readings of the consumers, preparation and delivery of consumers bills, collection of bills and to deposit it in the specific bank/JUSCO cash office. It is alleged that accused no.1- Arindam Biswas, the In-Charge and the present petitioner (accused no.2) was an Assistant of this assignment. In June, 2020, a complaint was received by complainant-company through JUSCO from one of the consumers claiming for refund of excess amount paid to JUSCO for electricity. On verification of the software, it was found that invoice submitted to the consumers were different from the invoice as per JUSCO. It was deliberately manipulated in the JUSCO system and forged electricity invoices were prepared and cash deposit to JUSCO was less than actual electricity bill by the accused persons. It was also found that units consumed had been intentionally manipulated and tempered by the accused persons. It was detected that accused persons have credited the customers' account with cash receipts against reduced modified bills etc. By these malpractices, the company suffered loss to the tune of

Rs.69,49,277/- which has been paid as a settlement amount to JUSCO on 17.04.2021.

It is submitted by the learned Counsel on behalf of the petitioner that he has been framed along with accused no.1 because of business rivalry. As a matter of fact, admitted position is that he had already submitted his resignation on 01.01.2016 and the case has been filed in the year 2021. After submitting his resignation Accused no.1 had set up a company under the name M/s. Global Solutions Enterprises in the name of his wife Sushmita Ghosh Biswas on whose favour the work order has been issued for the same purpose by tender order dated 01.02.2018 (Annexure-2/1). After allotment of this work because of the grudge against the accused no.1 the present case has been filed implicating this petitioner as well. After 2016, there did not surface any discrepancy after due auditing JUSCO, had issued N.C. vide email dated 16<sup>th</sup> March, 2016 (Annexure-4).

Learned A.P.P. assisted by learned counsel on behalf of complainant-company has opposed the prayer for bail. It is submitted that firstly M/s. Global Solutions Enterprises was long existing and registered in the year 2014 therefore, the plea that this case has been lodged out of business rivalry has no basis. As a matter of fact M/s. Global Solutions Enterprises has been blacklisted. During investigation, it has been found that a bill for higher amount was raised and payment and payment from consumer was taken , but lesser amount was deposited with JUSCO, which shall be apparent from 59-60 of the case dairy. This petitioner was working as an Assistant with accused no.1.

Under the circumstance in view of the direct and specific allegation, I do not find this case fit to grant anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners, is hereby, rejected.

**(Gautam Kumar Choudhary, J.)**

Anit