

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.5348 of 2023

Ravi Shankar Agrawal	Petitioner
Versus				
1. The State of Jharkhand				
2. Anand Prakash	Opposite Parties

Coram: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioner	: Mr. Anup Kr. Agarwal, Advocate
For the State	: Mr. Rajneesh Vardhan, Addl.P.P
For the O.P. No.2	: Mr. Suraj Verma, Adv.

Order No.05 Dated- 18.04.2024

Heard learned counsel for the parties.

2. Apprehending his arrest in connection with Hazaribag Sadar P.S. Case No. 131 of 2022 instituted under Sections 406, 420, 467, 468, 471 of the Indian Penal Code, the petitioner has moved this Court for grant of privilege of anticipatory bail.

3. As per FIR, allegation is that petitioner approached the informant to sell his parental land and they entered into an agreement for which the informant paid Rs.1.50 lakhs through cheque and Rs.6 lakhs cash as advance. After enquiry, the informant found that petitioner does not have ownership of the said landed property and he has cheated Rs.7.50 lakhs of the informant by impersonating himself as owner of the property.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence at all rather he has been falsely implicated in this case. There is case and counter case between the parties and it is purely a case of civil nature. Petitioner has co-operated with the investigation of the case in compliance of the notice under Section 41(A) of Cr.PC. Petitioner undertakes to co-operate with the investigation of the case. Hence, the petitioner may be extended the privilege of anticipatory bail.

5. Learned Addl.P.P appearing for the State assisted by learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner and submits that on strength of invalid documents, petitioner has cheated the informant by alluring to purchase the landed property after receiving Rs.7.50 lakhs as advance. However,

the land belongs to one Radha Ballahav Poddar. Hence, petitioner may not be extended privilege of anticipatory bail.

6. Considering the facts and circumstances of this case, the nature of allegation against petitioner coupled with materials available on record and also in view of co-operation of the notice under section 41(A) of Cr.PC, I am inclined to extend privilege of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender before the Court below within four 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 JM, Hazaribag in connection with Hazaribag Sadar P.S. Case No. 131 of 2022 **with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The physical appearance of the concerned Investigating Officer of this case is hereby dispensed with.

(Pradeep Kumar Srivastava, J.)

Pappu/