

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2500 of 2012

Amit Dhar Petitioner

Versus

The Union of India through C.B.I. Opp. Party

CORAM : HON'BLE MRS. JUSTICE JAYA ROY

For the Petitioner : Mr. Ajay Kumar Sah, Advocate

For the C.B.I. : Mr. Md. Mokhtar Khan, A.S.G.I.

02/24.09.2012 Heard counsel appearing for the petitioner and counsel appearing for the State.

Petitioner is apprehending his arrest in connection with the case registered under Sections 120B/420/467/468/471 of the Indian Penal Code and Section 13(2) read with Sections 13(1)(d) of Prevention of Corruption Act.

Counsel appearing for the petitioner has submitted that earlier the prayer for bail of the petitioner was dismissed as withdrawn vide order dated 15.03.2012 in A.B.A. No. 195 of 2012. He has further contended that in May, 2012, after withdrawal of aforesaid anticipatory bail application, it was detected that the petitioner was suffering from Cancer and he was under treatment at Tata Memorial Centre for certain period. He has further submitted that now the petitioner is required for Chemotherapy. In support of his contentions, he has annexed the entire medical prescription as Annexure-3 series in this application which clearly shows that the petitioner was suffering from 'Malignant neoplasm of thyroid gland', therefore, he prays for anticipatory bail of the petitioner.

Counsel appearing for the C.B.I., Mr. Khan has opposed but not disputed the aforesaid contentions made by the counsel appearing for the petitioner.

Considering the Annexure-3 series and considering the submission that the petitioner is suffering from 'Malignant neoplasm of thyroid gland, I direct the petitioner, above named, to surrender in the trial Court/Court below within a period of one month from the date of this order and if he surrenders, the trial Court/Court below will release him on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of like amount each to the satisfaction of Additional

Sessions Judge-1 cum Special Judge, C.B.I. Dhanbad in connection with R.C. Case No. 9A of 2010-R with the conditions that the petitioner will remain present before the trial Court/Court below at least once in a month on the date fixed for trial till the conclusion of trial and one of the bailors will be local resident having immovable property within the jurisdiction of the district concerned and subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Jaya Roy, J.)

Anit