

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3889 of 2025

Debjyoti Biswas, Proprietor of Shree Ganesh Enterprises, S/o Dulal Chandra Biswas, R/o Ghoshpara, 4 No. Ward, Kalyani, P.O. Kalyani, Dist- Nadia (West Bengal)

.... **Petitioner(s).**

Versus

The State of Jharkhand

... **Opp. Party(s)**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Abhishek S Sinha, Advocate

For the State : Mr. Ajay Kr. Pathak, Addl. P.P.

06/ 22.07.2025: Heard, learned counsel for the parties.

2. This is an application filed by the petitioner praying for grant of anticipatory bail in terms of under Sections 482 and 484 of the Bhartiya Nagrik Surksha Sanhita, 2023, apprehending his arrest for the offences under Section 420, 120B/34 of IPC, in connection with Sector-4 P.S. Case No.156 of 2023, pending in the Court of learned Judicial Magistrate 1st Class, Bokaro.

3. The allegation against this petitioner is that he had received Rs.30 lakhs in the account of this petitioner, but the petitioner has not supplied the material and has misappropriated the entire money.

4. Learned counsel for the petitioner submits that petitioner is a builder and the money which has been credited in his account is not for the purpose which has been mentioned in the F.I.R., rather it has come from other sources for construction purpose.

5. After going through the records, and hearing the A.P.P., I find that it is the case of the state that inspite of issuance of notice under Section 41-A of Cr.P.C., the petitioner did not appear before the Investigating Officer and not joined the investigation. The allegation is of cheating. Once notice under Section 41-A of Cr.P.C has been issued, the petitioner has to join the investigation by appearing before the I.O.

6. Admittedly, also the warrant of arrest has not yet been issued. Thus,

the petitioner should join the investigation. After joining the investigation, the petitioner should take appropriate steps in terms of the of the judgment passed by the Hon'ble Supreme Court in the case of *Satender Kumar Antil vs. Central Bureau of Investigation & Another, reported in 2022 (10) SCC 51*.

7. Accordingly, the instant anticipatory bail application stands disposed of.

(ANANDA SEN, J.)

R.S./