

IN THE HIGH COURT OF JHARKHAND AT RANCHI
ABA no. 1553 of 2025

Saikat Saha, aged about 29 years, son of Late Krishna Prasad Saha, residing at 30/1, Puin Para Lane, S/O. Santipur P.O. & P.S. Santipur, Dist.-Nadia-741404 West Bengal ... Petitioner

Versus

1. The State of Jharkhand
2. Dinesh Kumar Sonthalia, son of Hari Shankar Sonthalia, Resident of Infinity Tower, 2nd Floor, Opposite St. Mary's Church, Bistupur, P.O. & P.S. Bistupur Dist.-Jamshedpur ... Opp. Parties

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Indrajit Sinha, Adv.
Mr. Siddhartha Ranjan, Adv.
For the State : Mrs. Priya Shrestha, Spl. P.P.
For the O.P.no. 2 : Mr. Ajit Kumar, Sr. Adv.
Mr. Rahul Lamba, Adv.

11 / 24.04.2026

Heard the parties.

Apprehending his arrest in connection with Bistupur P.S. Case No.0251 of 2024 instituted under Sections 420, 406, 467, 468 and 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 petitioner was earlier granted anticipatory bail by this Court vide order dated 07.03.2025 without giving any opportunity of being heard to the opp. party no. 2 as the case is a police case, of course, the same was instituted upon the complaint of the opp. party no. 2 being forwarded to the police under Section 156 (3) of CrPC. The Opp. Party no. 2 filed Special Leave to Appeal (Crl.) no. 10496 of 2025 in the Hon'ble Supreme Court of India and the Hon'ble Supreme Court of India considering the facts of the case, set aside the said order dated 07.03.2025 passed by this Court in ABA No.

1553 of 2025 and remitted the matter to his Court for fresh consideration; that is why, the matter is before this Court. It is next submitted that the allegation against the petitioner is that petitioner is authorized agent of a stock Broking company namely M/S Angel One limited Bombay and has taken out excessive brokerage charges by indulging in some trading; which was not authorized by the informant; which has allegedly being done by way of cheating. It is next submitted that there is further allegation against the petitioner of receiving huge amount of money from the co-accused Ayan Kumar Saha. In the meanwhile, a co-ordinate Bench of this Court vide order dated 08.07.2025 in ABA No. 2712 of 2022, rejected the bail application of the co-accused person- Ayan Kumar Saha. The said Ayan Kumar Saha filed Special Leave to Appeal (Crl.) no. 11247 of 2025 but the same was dismissed by the Hon'ble Supreme Court of India. It is further submitted that the petitioner was granted the privilege of anticipatory bail on merit and after grant of the anticipatory bail, the petitioner furnished bail bond and is co-operating with the investigation of the case but charge-sheet has not yet been submitted. It is next submitted that the allegation against the petitioner is false and no offence as alleged, is made out against the petitioner hence, the petitioner be given the privilege of anticipatory bail.

The learned Spl. PP and learned counsel for the Opp. Party no. 2 vehemently oppose the prayer for anticipatory bail of the petitioner and submits that the petitioner suppressed the material fact that vide order dated 17.01.2025 passed in Bistupur P.S. case no. 251 of 2024, on the application of the I.O. of the case, learned CJM, Jamshedpur has observed that para 21 of the case diary shows that in course of the investigation, the offence inter alia punishable under Section 409 of IPC was also found to be true and though the ABA No. 1553 of 2025, was filed on 13.02.2025 but this material fact was suppressed by the petitioner. It is next submitted that in para 33, 43, 94,

128 and 129 of the case diary, there are incriminating materials in the record. Learned Special PP further submits that there is requirement of custodial interrogation of the petitioner during the investigation of the case, hence, it is submitted that the petitioner ought not be given the privilege of anticipatory bail.

Having heard the submission made at the Bar and after going through the materials in the record and keeping in view the conduct of the petitioner in suppressing the material facts that before filing of the anticipatory bail application, even though, learned CJM, Jamshedpur has observed that the offence *inter alia* punishable under Section 409 of IPC is found to be true but having suppressed the same and though the co-accused Ayan Kumar Saha, from whose account, huge amount of money was also transferred to the accounts to the petitioner but whose prayer for anticipatory bail has been rejected by the co-ordinate Bench of this Court and the Special Leave to Appeal filed against the same, was also dismissed by the Hon'ble Supreme Court of India, in such facts of this case, this Court is of the considered view that this is not a fit case, where the privilege of anticipatory bail be given to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(ANIL KUMAR CHOUDHARY, J.)

Dated 24.04.2026
Smita/-