

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5378 of 2025

- 1.** D.K. Pandey @ Deepak Kumar Pandey, aged about 38 years,
S/o Sri Anil Pandey, resident of village – Chaderia, PO and PS –
Gola Bazar, District – Gorakhpur, Uttar Pradesh
- 2.** Sonu Singh @ Shivprakash Chand, aged about 40 years, S/o
Dayashankar, resident of village – Nanhe, PO and PS –
Rajgarh, District – Gorakhpur, Uttar Pradesh
- 3.** Hari Shankar Yadav, aged about 38 years, S/o Jagannath
Yadav, resident of village – Awasthi, PO and PS – Gola Bazar,
District – Gorakhpur, Uttar Pradesh
- 4.** Pradeep Chand, aged about 41 years, S/o Harikant Chand,
resident of Narre Buzurg, PO and PS – Rajgarh, District –
Gorakhpur, Uttar Pradesh

.... Petitioners

-- Versus --

The State of Jharkhand

.... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners	:-	Mr. Amitabh, Advocate
	:-	Mr. Brij N. Sinha, Advocate
For the State	:-	Mr. Vishwanath Roy, Advocate

04/16.09.2025 Heard learned counsel appearing for the petitioners as well
as the learned counsel appearing for the State.

2. The petitioners are apprehending their arrest in connection
with Simariya (Chatra) P.S. Case No.81 of 2022 for the alleged
offences registered under Sections 467, 468, 471, 406, 420, 120(B)
and 34 of Indian Penal Code pending in the Court of learned A.D.J.
1st Class, Chatra.

3. Learned counsel appearing for the petitioners submits that false allegations are made against the petitioners of forming the company namely Organic India Agrotec and not distributing the plants and seeds at the level of Panchayat, Block, Sub-Division and District. He submits that the petitioners have not taken any amount and the amount alleged have been taken by accused Nos.15 and 16 namely Ravi Gupta and Rajvir Singh @ Raj Singh. He submits that the case is arising out of contract and the petitioner has also received the notice under Section 41A of Cr.P.C.

4. Learned counsel appearing for the State opposes the prayer and submits that even the notice under Section 41A of Cr.P.C. has not been complied with.

5. In view of the above and considering that the amount alleged has been taken by accused Nos.15 and 16 namely Ravi Gupta and Rajvir Singh @ Raj Singh and those accused persons are not the petitioners in the present ABA and the petitioners have received the notice under Section 41A of Cr.P.C. and in that view of the matter the petitioners are directed to surrender before the learned Court within two weeks and the learned Court shall release the petitioners on such terms and conditions or the sureties as the learned Court may deem fit and proper.

(Sanjay Kumar Dwivedi, J.)

*Dated 16.09.2025
Sangam/*