

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 5389 of 2025

1. D.K.Pandey @ Deepak Kumar Pandey, aged about 38 years S/o Sri Anil Pandey, Resident of - Village Chaderia, PO & PS-Gola Bazar, Dist - Gorakhpur, Utter Pradesh.

2- Sonu Singh, @ Shivprakash Chand, aged about 40 years, S/o Dayashankar, Resident of - Village Nanhe PO & PS - Rajgarh, Dist Gorakhpur, Utter Pradesh.

3. Harishankar Yadav, aged about 38 years S/o Jagannath Yadav, Resident of Village Awasthi, PO & PS - Gola Bazar, Dist Gorakhpur, Utter Pradesh.

4. Predeep Chand aged about 41 years, Resident of - Narre Buzurg S/o Harikant Chand, PO & PS- Rajgarh, Dist Gorakhpur. Utter Pradesh.

..... ... Petitioners

Versus

The State of Jharkhand.

..... ... Opposite Party

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mr. Amitabh, Advocate.
For the State : Mr. V.K. Vashistha, A.P.P.

05/ 16.09.2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Simariya P.S. Case No. 60 of 2022, registered for the offences under Sections 467, 468, 471, 406, 420, 120-B and 34 of the Indian Penal Code, pending in the court of learned A.C.J.M., 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 petitioners have also received the notice under Section 41A of Cr.P.C.

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

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, named above, 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
Amitesh/-