

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 7482 of 2024

Jagarnath Mahto @ Amarnath Mahto @Jainath Mahto @ Amarnath Kumar,
S/o Gokul Mahto, R/o A 30, A type, Near Durga Mandir, At Topa Colliery
(Pindra), P.O. Topa, P.S. Mandu, District Ramgarh .

... **Petitioner**

Versus

The State of Jharkhand ... **Opposite Party**

CORAM : SRI ANANDA SEN, J.

For the Petitioner : Mr. Bhaskar Trivedi, Advocate
For the State: Mr. Sanat Kumar Jha, A.P.P.

04/ 08.07.2025

This anticipatory bail application under Sections 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been preferred by the petitioner apprehending his arrest in connection with Complaint Case No. 99 of 2024 converted to F.I.R. Under Section 156(3) of the Code of Criminal Procedure as Mandu (Kujju) P.S. Case No. 156 of 2024, registered for offences alleged under Sections 406, 420, 384, 385, 387 & 409 of the Indian Penal Code, pending in the Court of Additional Chief Judicial Magistrate, Ramgarh.

2. As per the prosecution case, it has been alleged by the informant that while he was searching for a job, he met the petitioner and was asked to apply for a job in CCL. A sum of Rs. 4,00,000/- was demanded by the petitioner in lieu of such job. After passing the medical examination, the petitioner again demanded Rs.4,00,000/-. The informant gave the money and was directed to join office from the following week. When the informant went to Topa Office, he was again demanded money by the petitioner in the name of giving to the higher authorities. It has been further alleged that the informant did as he was instructed but when he went to the Topa Colliery to enquire about his job, co-accused Harun Ansari threatened him of dire consequences.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is evident from the First Information Report, that it was Manish Kumar (witness No.1 in Complaint Petition), friend of the informant, who instilled the idea of job on the pretext of cash in the mind of the complainant. There is no date mentioned or any documentary proof to prove that the alleged money was demanded and the petitioner gained benefits out of the whole transaction. There is an unexplained delay of three years in lodging of the complaint.

4. Learned APP vehemently opposed the prayer of the petitioner for grant of anticipatory bail and submitted that the statements of the witnesses support the case of the prosecution. There is direct allegation against the petitioner that he along with others has committed fraud by extorting a large sum of money from the informant.

5. In order to appreciate the arguments of the parties, I have gone through the materials available including the case diary. I find that at paragraph 67 and 68 of the case diary, in the supervision note it has been reported that due to lack of evidence final form be submitted against the accused persons including the petitioner and accordingly steps for submission of final form is being taken.

6. Considering the aforesaid facts, I am inclined to allow this anticipatory bail to the petitioner. The petitioner, named above, is directed to surrender before the Court below within four weeks from today and in the event of his surrender and/or arrest, he shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Ramgarh in connection with Mandu (Kujju) Police Station Case No.156 of 2024 [arising out of Complaint Case No.99 of 2024], subject to the condition that one of the bailers should be close relative of the petitioner and other should be a resident of State of Jharkhand, having sufficient landed property in his own name or in the name of his ancestors in which he is having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property.

7. This anticipatory bail application is, accordingly, allowed.

(Ananda Sen, J.)

Kumar/Cp-03