

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.260 of 2025

Vijay Kumar Verma, aged about 47 years, son of Jagdish Saw,
resident of Near Reliance Fresh Digwadih No.12, Karamgora,
Jealgora, P.O and P.S. Jorapokhar, District- Dhanbad.

... .. Petitioner

Versus

The State of Jharkhand.

... .. Opposite Party

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. A.K. Sahani, Advocate
Mr. R.K. Verma, Advocate
Mr. S. Kumar, Advocate
For the State : Md. Shahabuddin, SC-VII
For the Informant : Mrs. Jasvinder Mazumdar, Advocate

08/ 08.07.2025

Heard the parties.

- 2.** This anticipatory bail application under Section 482 & 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest for offences under Sections 316(2), 318(4), 338, 336 (3), 340(2), 3(5), of B.N.S., 2023.
- 3.** Learned A.P.P. representing the State and Learned informant opposes the prayer for anticipatory bail.
- 4.** As per the F.I.R, the bank account in the name of the father of the informants, namely, Ramdas Mistry was maintaining a credit balance of Rs.18,59,451.66/-. It is alleged that Ramdas Mistry died on 17.08.2024. When the informant went to the bank, he found that there was only Rs.65.86/- lying in his account, thereafter, he could know that vide several cheques from 30.07.2024 to 30.08.2024, huge amount was withdrawn by different person including this petitioner.
- 5.** Learned counsel appearing for the petitioner submits that the cheque was handed over to the petitioner by the accused no.1 who was the advocate. Further, the Arjun Mistry who is also an accused and son of the deceased account-holder had handed over the signed cheque-books to the advocate and the amount was withdrawn. He submits that the cheque was handed over to the petitioner to withdraw amount only to help the accused son of the

deceased. He withdrew the amount and handed over to the son who is also one of the accused also. He lastly submits that it is not a case that the signature was forged. At best the irregularity which can be made out is that the cheque was presented after the death of the deceased account-holder in bank for payment.

6. The counsel appearing on behalf of the informant opposes and submits that the huge amount from the account of the father of the informant has been withdrawn and it is admitted that the petitioner is one of them who has withdrawn the same. She further submits that they have already informed the bank on 21st August, 2024 about the death of the account-holder but in spite of the that the cheques were cleared.

7. After hearing the parties, I find that it is an admitted case that the petitioner had withdrawn the amount vide cheque. The cheque was cleared by the bank. Admittedly, there was no doubt casted about the authenticity of the signature of the account-holder. It is also not the case of the informant that the signature was forged. This clearly suggests that the cheque was duly signed by the original account-holder. Thus, the only irregularity is that the same was presented after the death of the account-holder which was cleared.

8. Considering the aforesaid facts, I am inclined to allow this application.

9. Accordingly, this Anticipatory Bail Application stands **allowed**. The petitioner, above named, is directed to surrender before the learned court below within four weeks from the date of receipt of copy of this order and on the event of his surrender 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 learned Judicial Magistrate, 1st Class, Dhanbad in connection with Jorapokhar P.S. Case No.140 of 2024, subject to the condition that one of the bailers should be a close relative of the petitioner and he should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which they are having share and to that effect, he have to file an affidavit before the Trial Court

indicating his share in the property. The petitioner should cooperate with the investigation and appear before the concerned Court once in every fifteen days, till submission of the final report.

(ANANDA SEN, J.)

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