IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2428 of 2020

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1. Kaushik Dutta.
2. Swapna Dutta. …..**Petitioners**

Versus

1. The State of Jharkhand.
2. Satyendra Singh. ….**Opposite Parties**

Coram: THE HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioners : Mr. Rajiv Nandan Prasad, Advocate

For the State : Mr. Anup Pawan Topno, A.P.P.

02/31-8-2020 Heard the parties.

Defects, as pointed out by the office, are ignored.

The petitioners apprehend their arrest in connection with Barhi P.S. Case No. 37 of 2015, G.R. No. 598 of 2015.

An agreement was executed between the petitioner no. 1 and the complainant and Rs.1,75,000/- was to be paid to the complainant for 240 hours for using the excavator machine of the complainant.

It has been alleged that a cheque of Rs.1,00,000/-was issued by the petitioner no.2, which got dishonored.

The petitioner no. 1 appears to have criminal antecedent as mentioned in the impugned order.

Although, learned counsel for the petitioners has submitted that the petitioner no. 1 is suffering from heart ailments and was recently discharged from a hospital at Sikanderabad but considering the nature of allegations levelled apart from the antecedent of the petitioner no. 1, I am not inclined to extend the privilege of anticipatory bail to the petitioner no. 1. His application is accordingly **rejected.**

So far as the petitioner no 2 is concerned, she appears to be a lady and has been implicated on account of the issuance of cheque by her in favour of the complainant which subsequently got dishonored.

Regard being had to the aforesaid facts, I am inclined to extend the privilege of anticipatory bail to her.

The petitioner no. 2-Swapna Dutta is accordingly directed to surrender in the court below within a period of four weeks from today and pray for regular bail, and in that event, she will be enlarged on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Hazaribagh, in connection with Barhi P.S. Case No. 37 of 2015, G.R. No. 598 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands disposed of.

(Rongon Mukhopadhyay, J)

Rakesh/-