IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6161 of 2020
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1. Dilip Pathak
2. Raju Pathak @ Rajeev Kumar Pathak ... ... **Petitioners**

Versus

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

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
Through- Video Conferencing

For the Petitioners : Mr. A.K. Chaturvedy, Advocate
For the State : Mr. Vineet Kr. Vashistha, A.P.P.

02/09.12.2020 Heard Mr. A.K. Chaturvedy, learned counsel for the petitioners and Mr. Vineet Kr. Vashistha, learned A.P.P. for the State.

Defects as pointed out by the office are ignored.

The petitioners have prayed for grant of anticipatory bail, as they are apprehending their arrest in connection with Itkhori P.S. Case No. 85 of 2016.

The informant who is an unemployed person was lured into parting with an amount of Rs. 4,30,000/- on the assurance of the accused persons that he will be provided with a job in Electro Steel Limited. The job was not provided and the cheque which was given by the accused persons got dishonored.

It appears from the First Information Report that the money was given in the year 2011 and the cheque which was issued to the informant was dated 10.06.2013. The said cheque was dishonored on 07.09.2013 but no step seems to have been taken by the informant to lodged a complaint u/s 138 of the N.I. Act. The subsequent complaint was filed after almost three years in the year 2016.

Thus there appears to be an inordinate delay in institution of the First Information Report and in such view of the matter, therefore, I am inclined to extend the privilege of anticipatory bail to the petitioners. The petitioners accordingly are directed to surrender before the learned court below within a period of four weeks and on their surrender,

they shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Chatra in connection with Itkhori P.S. Case No. 85 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(R. Mukhopadhyay, J.)

Alok/-