IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2247 of 2025
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1. Mrs. Sarmistha Das @ Sarmistha Lahiri @ Sermistha Lahiry, D/o Mr. M. K. Das and W/o Mr. Anirudh Lahiri, R/o G/4, Birenu Prabhas Manjari Apartment near Carmel School, Sonari, PO, PS and D istrict- East Singhbhum.
2. Vinod Agarwal @ Vinod Kumar Agarwal, S/o Late Banwari Lal, R/o D-22, Astha Hi Tech City, Kunjnagar, Sonari, PO, PS and District- East Singhbhum .... …. Petitioners

Versus

1. The State of Jharkhand.
2. Rajesh Yadav, S/o Late Ram Yadav, R/o Flat No.3/1, Amarnath Apartment, Naginapuri, Adityapur-1, PO and PS- Adityapur, District- Saraikella Kharsawan.... .... Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mrs. Vani Kumari, Advocate
For the State : Mr. Saket Kumar, A.P.P.

03/01.05.2026 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No.225 of 2022, registered for the offence under Sections 406, 420, 34 of the IPC and the case is pending in the court of learned SDJM., Seraikella.

3. Learned counsel appearing for the petitioners submits that although the case is arising out of Complaint Case. However, NBW has been issued against the petitioners and the petitioners happened to be builder of the building, in question.

4. She has next submitted that pursuant to the agreement, flat, in question has already been handed-over to the informant and the electricity was provided by the JUVNL instead of JUSCO.

5. She has further submitted that so far allegations of not installing of lift is concerned, the certain occupiers did not pay the amount and in view of that delay has occurred. On these grounds, petitioners may be enlarged on anticipatory bail.

6. Learned counsel appearing for the State has opposed the prayer and submits that petitioners happened to be builder.

7. Admittedly, case is arising out of complaint case. However, NBW has been issued against the petitioners. In the complaint itself, it is stated that the flat, in question has been handed-over to the complainant. However, the allegations are made that in place of

JUSCO, electricity has been provided by the JUVNL. Allegations have further been levelled to the effect of not installing of the lift. Prima-facie it appears that allegations of deficiency in service is there and for that another fourm is there i.e. under the Consumer Protection Act, 2019.

8. Accordingly, the above-named petitioners are directed to surrender before the learned Court within two weeks from the date of receipt of a copy of this order and in the event of their arrest or surrender, they shall be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM., Seraikella, in connection with Complaint Case No.225 of 2022, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

Sandeep/

Uploaded/