IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 8140 of 2022

Kapil Kumar Gupta @ Kapil Gupta .... … Petitioner

Versus

The State of Jharkhand …. …. Opp. Party

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. Avishek Prasad, Advocate
For the State : Mr. Mohua Palit, A.P.P.

05/ 13.10.2022 Heard learned counsel for the applicant and the learned A.P.P. for the State.

This bail application has been filed on behalf of the applicant– Kapil Kumar Gupta @ Kapil Gupta with prayer to release on bail in connection with Jagarnathpur P.S. Case No. 88 of 2022, registered under Sections 419/420/379 of the Indian Penal Code, pending in the court of the Judicial Magistrate, First Class, Ranchi.

Learned counsel for the applicant has submitted that the F.I.R. of this case was lodged against the applicant-accused with the allegation that Kapil Kumar Gupta @ Kapil Gupta had allured to the informant to get him employed in Air Port at the salary of Rs. 28,000/- per month. He also took the phone number of the informant and the amount of Rs.5,300/- was transferred on the very day. Subsequently a gold ring was also purchased by the informant worth Rs. 20,280/- at the request of the applicant. Bill of the same was in the name of the informant. Thereafter they also went to Delhi and stayed in a Hotel. All expenses were incurred by the informant. The applicant-accused also transferred the amount of Rs. 32168/- in his account from the account of informant having taken mobile phone of the informant in his possession and ultimately neither the job was given nor money was paid to the informant.

Learned Counsel for the applicant has submitted that, as per F.I.R. allegations, bill of the ring was in the name of the informant. So far as the expenses incurred in travelling and lodging in a Hotel is concerned, same were incurred by the applicant and the informant separately. There is no evidence that the alleged amount was transferred in the account of the applicant from the account of informant and he has been languishing in Jail since 23.04.2022.

Learned A.P.P. appearing on behalf of the State vehemently opposed the contentions made by the learned counsel for the applicant and conceded that there is no documentary evidence in regard to transfer of the amount from the account of the informant to the account of the applicant.

In view of the submissions made and materials on record, the bail application of the applicant is hereby allowed. Let the applicant be released on bail on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the court concerned in aforesaid case.

(Subhash Chand, J.)

P.K.S.