

IN THE HIGH COURT OF JHARKHAND AT RANCHI

**A.B.A. No. 2894 of 2020**

1. Kamla Mahato  
2. Mukesh Mahato @ Radha Krishna Mahato ... Petitioners  
- Versus -  
The State of Jharkhand .... .. Opposite Party

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**CORAM: - HON'BLE MR. JUSTICE DR. S. N. PATHAK**  
**(Through: Video Conferencing)**

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For Petitioner : Mr. Rohit Agarwal, Advocate  
For Opp. Party : Mr. Arun Kumar Pandey, APP

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**02/09.09.2020** In view of COVID-19 pandemic, case has been taken up through Video Conferencing. Concerned lawyers have no objection with regard to the proceeding, which has been held through Video Conferencing today at 10:30 AM onwards. They have no complaint in respect to the audio and video clarity and quality.

The petitioners are apprehending their arrest in connection with Chandil P.S. Case No. 66/2020 for the offences registered under Sections 498 A/341/323/379/506/34 of the Indian Penal Code and under Section 3 of the Dowry Prohibition Act, pending before the Court of learned Sub Divisional Judicial Magistrate, Seraikella.

Heard Mr. Rohit Agarwal, learned counsel for the petitioner and Mr. Arun Kumar Pandey, learned APP for the State.

Mr. Rohit Agarwal, learned counsel appearing for the petitioners submits that the petitioners are innocent and they have been falsely and maliciously implicated in the instant case by the informant. The petitioners have not committed any offence as alleged in the First Information Report and the entire allegation is general and omnibus in nature. He further submits that the petitioner No.1 is mother-in-law and petitioner No.2 is brother-in-law of the informant. As per the CDR, on the alleged date and time of occurrence, the tower locations of mobile phones of the petitioners were not found at the place of occurrence nor they were present there and as such, no such occurrence took place. There is delay of 3 days for lodging the First Information Report, which creates doubt upon the prosecution story. He further submits that nothing has been recovered from the possession of the petitioners or from their

house nor any independent witnesses have supported the prosecution case. He further submits that petitioners are ready to abide by any terms and conditions imposed upon them by this Hon'ble Court for grant of anticipatory bail. Hence, the petitioners may be given the privilege of anticipatory bail.

Learned APP opposes the prayer for grant of anticipatory bail.

Considering the facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioners. Hence, in the event of arrest by the police or surrender before the learned court below within a period of four weeks' from the date of this order, the petitioners named above shall be enlarged on bail, on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of like amount each to the satisfaction of officer concerned, in connection with Chandil P.S. Case No.66 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

**(Dr. S. N. Pathak, J.)**