IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2983 of 2020

Anand Dhibar ... … petitioner

Versus

1. The State of Jharkhand
2. Laxmi Dhibar ... … Opposite Parties

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the petitioner : Mr. Raj Nandan Chatterjee, Advocate
For the State : Mrs. Nehala Sharmin, A.P.P.

02/09.09.2020 The present anticipatory bail application is taken up today through Video conferencing.

Heard the learned counsel for the parties.

The petitioner is apprehending his arrest in C.P. Case No. 3772 of 2018 for the offence punishable under Section 498-A of the Indian Penal Code, pending in the court of the learned Judicial Magistrate, 1st Class, Dhanbad.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the complaint. The petitioner has neither tortured nor has made any demand of dowry from the complainant. The petitioner is a person of limited means and since he could not satisfy the repeated demands of the complainant, he has been roped in the present case along with the family members. The complainant herself has refused to rejoin the marital relationship with the petitioner and hence, he may be given the privilege of anticipatory bail.

The learned A.P.P. while opposing the petitioner's prayer for anticipatory bail submits that on perusal of the solemn affirmation of the complainant recorded by the concerned court below, it would be evident that she was taken by the petitioner to her "mayka" (her parents' home) saying that till she fulfills the demand of Rs. 1,00,000/-, she would not be taken back to the matrimonial home. The petitioner being the husband of the complainant and there being specific allegation against him, may not be given the privilege of anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Hence, the prayer for grant of anticipatory bail of the petitioner is hereby rejected.

(Rajesh Shankar, J.)

Manish