

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3070 of 2020

1. Laxmi Das		
2. Vimla Devi		
3. Akash Narayan Gupta		
4. Reeta Gupta		
5. Santosh Gupta	...	Petitioners
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	:	Mr. Indrajit Sinha, Advocate
		Mr. Bhaskar Trivedi, Advocate
For the State	:	Mr. Vandana Bharti, Addl. P.P.
For the Informant	:	Mr. Amit Kumar, Advocate

Order No.02 Dated- 09.09.2020

Heard the parties through video conferencing.

Learned counsel for the petitioners personally undertake to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioners, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Sadar (Mesra) P.S. Case No.9 of 2020 registered under sections 498A/323/354B/307/504/506/34 of the Indian Penal Code and under Section 3/4 of D.P. Act.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners being the relatives of the husband of the informant has treated her with cruelty and before the marriage a sum of Rs.4.50,000/- was transferred to the account of the petitioner no.1. It is further submitted that the allegation against the petitioners are all false and the said amount was paid to meet the expenses of the marriage between the informant and her husband and the main allegation is against the husband of the informant. It is then submitted that the petitioners are ready and

willing to jointly pay Rs. 4,50,000/- as ad interim victim compensation to the informant without prejudice to their defence in this case subject to final decision of the case and also subject to the condition that the said amount shall be adjusted if and when the final settlement is arrived at between the parties. It is lastly submitted that the petitioners undertake to cooperate with the investigation of the case. Hence, it is submitted that the petitioners be given the privilege of anticipatory bail.

Learned Addl. P.P. and the learned counsel for the informant opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of eight weeks from the date of this order, they shall be released on bail on jointly depositing a demand draft of Rs. 4,50,000/- as ad interim victim compensation in favour of informant-Sumana Sharan and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Ranchi, in connection with Sadar (Mesra) P.S. Case No.9 of 2020 with the condition that the petitioners will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile numbers and a copy of their Aadhar Cards in the court below with the undertaking that they will not change their mobile numbers during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioners deposit the ad interim victim compensation amount, the court below is directed to issue notice to the informant-Sumana Sharan and hand over the said demand draft to her, after proper identification.

It is made clear that the said amount of Rs.4,50,000/- shall be adjusted if and when the final settlement is arrived at between the parties.

(Anil Kumar Choudhary, J.)