

IN THE HIGH COURT OF JHARKHAND AT RANCHI

(Criminal Miscellaneous Jurisdiction)

A.B.A. No. 3128 of 2020

Sikandar Kumar

..... Petitioner

Versus

1. The State of Jharkhand
2. Prerna Kumari

.....Opposite Parties

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO
Through:- Video Conferencing

For the Petitioner : Mr. Onkar Nath Tiwary, Advocate
For the State : Mr. Shekhar Sinha, P.P.
For O.P. No.2 : Mr. Rohit Ranjan Sinha, Advocate

02/Dated: 09/09/2020

Learned counsel for the petitioner has submitted that though there is defect no. 9(i) in the bail application as pointed out by the stamp reporter but he has filed an undertaking that he shall remove the defect within 30 days after the physical court starts and prayed for hearing of the anticipatory bail application, as petitioner is apprehending his arrest during pandemic of Covid-19.

Considering the same, this Court is inclined to hear the anticipatory bail application on merits, but with condition that petitioner shall remove the defects within 30 days after the physical court starts.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the physical court starts so as to remove the defect.

Heard, learned counsel for the petitioner, Mr. Onkar Nath Tiwary and learned counsel for the State, Mr. Shekhar Sinha assisted by learned counsel for the O.P. No.2, Mr. Rohit Ranjan Sinha.

Learned counsel for the petitioner has submitted that petitioner is apprehending his arrest in connection with C.P. Case No.2265 of 2019, for the offence under Section 498-A IPC.

Learned counsel for the petitioner has submitted that the marriage of the petitioner was solemnized on 15.12.2018 and it is alleged that petitioner took loan of Rs.1,75,000/- and again demanded Rs.5,00,000/- from the father of the complainant.

Learned counsel for the petitioner has submitted that it is wrongly alleged as the petitioner wants to restore his conjugal life with his wife for which Original Suit No. 428 of 2019 under Section 9 of the Hindu Marriage Act has been preferred before the court of learned Principal Judge, Family Court, Dhanbad.

Learned counsel for the petitioner has submitted that petitioner is a Bank employee and if the anticipatory bail is not granted, his service career may be ruined.

Learned counsel for the State assisted by learned counsel for the complainant have opposed the prayer for bail and has submitted that parties may be asked to appear before this Court so as to refer the matter before the Mediator, Jharkhand State Legal Services Authority, Ranchi.

Let the matter be referred before the Mediator, Jharkhand State Legal Services Authority, Ranchi and the date of appearance of the parties be fixed in the month of December, 2020, if the physical court starts.

In the meantime, petitioner shall pay a sum of Rs.10,000/- per month to his wife from the month of September, 2020 in her Bank account or through Bank draft by 9th day of each English Calendar month.

In the meantime, no coercive steps shall be taken against the petitioner/ not to arrest the petitioner in connection with C.P. Case No.2265 of 2019 pending in the court of learned JMFC, Dhanbad.

Let a copy of this order along with record of this case be sent to the Jharkhand State Legal Services Authority, Ranchi at once.

(Kailash Prasad Deo, J.)