

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3225 of 2020

Nayeem Ansari ... Petitioner
Versus
1. The State of Jharkhand
2. Mariam Bibi ... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. P.K. Jah, Advocate
For the State : Mr. V. Roy, Addl. P.P.
For O.P. No.2 : Mr. A.K. Choudhary, Advocate

Order No.02 Dated- 10.09.2020

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes 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 petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Complaint Case No.383 of 2018 registered under sections 498A of the Indian Penal Code and under Section 3/4 of D.P. Act.

It is jointly submitted by the learned counsel for the petitioner and the learned counsel for opposite party no.2 that the petitioner and opposite party no.2 are ready and willing to resume their conjugal life.

It is agreed to between the parties, that the petitioner and opposite party no.2 will appear before the trial court on 01.10.2020 and the petitioner will submit an undertaking that the petitioner will not have any relationship with any lady namely Salma Bibi and will not keep any such lady in his house and will keep and maintain the opposite party no.2 with full dignity and honour as his lawful wife.

The Learned counsel for the petitioner submits that the allegations against the petitioner are all false and are general and omnibus in nature. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. and the learned counsel for the opposite party no.2 has not objection for 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 petitioner be given the privilege of anticipatory bail. Hence, the petitioner is directed to surrender on 01.10.2020 before the trial court along with opposite party no.2 and he will submit an undertaking that he is ready and willing to take the opposite party no.2 to his house and is also ready and willing to resume conjugal life with her with further undertaking that the petitioner will not have any relationship with any lady namely Salma Bibi and will not keep any such lady in his house and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Madhupur, in connection with Complaint Case No.383 of 2018 with the condition that the petitioner will keep and maintain the opposite party no.2 as his lawful wife with full dignity and honour and will not have any relationship with any other lady namely Salma Bibi subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)