

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 9191 of 2019

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1. Chandra Shekhar Kumar @ Chandra Shekhar Kumar Shashi
 2. Pitambar Yadav @ Patimbar Yadav @ Pitamber Yadav
 3. Lambodar Yadav @ Lanbodar Mahto **Petitioners**

Versus

1. The State of Jharkhand
2. Basudeo Prasad Yadav **Opposite Parties**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioners	: Mr. Aashish Kumar, Advocate
For the State	: Mr. Sardhu Mahto, A.P.P.
For the O.P. No. 2.	: None

05/25.06.2020 Heard Mr. Aashish Kumar, learned counsel for the petitioners and Mr. Sardhu Mahto, learned A.P.P. for the State. None appears on behalf of the opposite party no. 2 in spite of valid service of notice.

The petitioners have prayed for grant of anticipatory bail, as they are apprehending their arrest in connection with Complaint Case No. 847/2019.

For the purpose of marriage the accused persons had taken an amount of Rs. 4,500/- towards engagement as well as Rs. 3,50,000/-. It has been alleged that neither the accused persons had solemnized the marriage nor had returned the amount.

It appears that the the petitioner no. 1 is the would be bridegroom and so far as the petitioner no. 3 is concerned the allegation against him is that it was in his presence the money was handed over to the petitioner no. 2. Therefore, it appears that the petitioner nos. 1 and 3 does not have any role to play with respect to the entire transaction. The main accused petitioner no. 2 appears to be the father of the petitioner no. 1 who is aged about 70 years.

Considering the nature of allegations levelled against the petitioner nos. 1 and 3, they are directed to surrender before the learned trial court within a period of four weeks and on such surrender, they shall be released on bail on

furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Deoghar in connection with Complaint Case No. 847/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the petitioner no. 2 is concerned although there is an allegation of accepting the money and having a prime role in the entire transaction but regard being had to the age of the petitioner no. 2, he is directed to surrender before the learned trial court within a period of four weeks and on such surrender, he shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Deoghar in connection with Complaint Case No. 847/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(R. Mukhopadhyay, J.)