

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.4051 of 2021

Suraj Pandit

.... Petitioner

Versus

1. The State of Jharkhand

2. Guriya Devi

....Opposite Parties

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. M.B. Lal, Advocate

For the State : Mrs. Lily Shaya, Addl.P.P

For the O.P. No.2 : Mr. Gautam Kumar, Adv.

Order No.03 Dated- 06.09.2021

Heard the parties through video conferencing.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Complaint Case No.2703 of 2019 registered under sections 498A of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that though the petitioner is ready and willing to resume the conjugal life with the opposite party no.2 but the opposite party no.2 is not ready and willing to resume the conjugal life with the petitioner. It is next submitted that the allegation against the petitioner is that the petitioner being husband of the opposite party no.2 treated her with cruelty. It is next submitted that the allegations against the petitioner are all false and general and omnibus in nature. It is further submitted that because of marital discord between the parties, this false case has been foisted against the petitioner. It is lastly submitted that the petitioner is ready and willing to co-operate with the trial of the case and undertakes to pay ad interim victim compensation of Rs.25,000/- without prejudice to his defence in this case to the opposite party no.2. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State assisted by learned counsel for the opposite party no.2 oppose the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court within three months from today and in the event of his arrest or surrendering, the petitioner will be enlarged on bail on depositing a demand draft of Rs.25,000/- as ad interim victim compensation without prejudice to his defence in this case drawn in favour of the opposite party no.2 and on

furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Dhanbad in connection with Complaint Case No.2703 of 2019 with the condition that he will co-operate with the trial of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioner deposits the said demand draft, the court below is directed to issue notice to the opposite party No.2 and on her proper identification, the court below shall handover the same to her forthwith.

In case the petitioner deposits Rs.25,000/- in favour of the opposite party No.2, the same shall be adjusted towards maintenance, if any or full and final settlement, if any, between the parties.

(Anil Kumar Choudhary, J.)

Pappu/