

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.4163 of 2021

Shashikant Vishwakarma Petitioner

Versus

1. The State of Jharkhand

2. Smt. Rohni Vishwakarma Opposite Parties

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Arun Kumar, Advocate

For the State : Ms. Snehlita Bhagat, Addl.P.P

For the O.P. No.2 : Mr. Anjani Kumar, Advocate

Order No.03 Dated- 07.09.2021

Heard the parties through video conferencing.

Apprehending his arrest in connection with Gumla (Mahila) P.S. Case No.04 of 2020 instituted under Sections 323, 341, 498-A, 494, 313, 506, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has treated the opposite party No.2 with cruelty in connection with demand of dowry. It is 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 also submitted that the petitioner disputes that the opposite party No.2 is his wife. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and undertakes to pay ad interim victim compensation of Rs.25,000/- without prejudice to his defence in this case in favour of the opposite party No.2 of this case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State being assisted by the 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 of learned C.J.M., Gumla within six weeks from today and in the event of

his arrest or surrendering, he 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 of this case 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 C.J.M., Gumla in connection with Gumla (Mahila) P.S. Case No.04 of 2020 **with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency 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 of this case and on her proper identification, the court below shall handover the same to her forthwith.

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

(Anil Kumar Choudhary, J.)