

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No.4172 of 2021**

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Raghunath Sawaiya @ Raghunath Sawaiyan

.... .. Petitioner

Versus

1. The State of Jharkhand

2. Pyari Honhaga

.... ..Opposite Parties

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**CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioner : Mr. Anjani Kumar, Advocate

For the State : Mr. Vishwanath Roy, Addl.P.P

For the O.P. No.2 : Mr. D.K. Chakraverty, Advocate

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**Order No.03 Dated- 07.09.2021**

Heard the parties through video conferencing.

Apprehending his arrest in connection with Chaibasa Muffasil P.S. Case No.141 of 2019 instituted under Sections 494, 498-A, 313, 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 appearing for the petitioner and learned counsel for the opposite party no.2 jointly submit that the petitioner and the opposite party no.2 are ready and willing to resume their conjugal life. It is next submitted by the learned counsel for the petitioner that the petitioner is not having any relationship with any lady namely Agasti Honhaga nor at any time in future, the petitioner will have any relationship with any lady namely Agasti Honhaga and he will not allow any lady namely Agasti Honhaga to come to his house. It is next submitted that the petitioner is ready and willing to keep and maintain the informant with full dignity and honour as his lawful wife. It is further submitted that the petitioner will appear before the trial court on 29<sup>th</sup> September, 2021 and on that day he will take the opposite party no.2 from the trial court to his house and will give undertaking to the aforesaid effect before the trial court that he will keep and maintain the informant with full dignity and honour as his lawful wife and he will not keep any relationship with any lady namely Agasti Honhaga. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State opposes 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 appear in the Court of learned ACJM, Chaibasa on 29<sup>th</sup> September, 2021 and on that day upon his taking the opposite party no.2 from the trial court to his house and giving undertaking to the effect before the trial court that he will keep and maintain the informant with full dignity and honour as his lawful wife and he will not keep any relationship with any lady namely Agasti Honhaga, he will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Chaibasa in connection with Chaibasa Muffasil P.S. Case No.141 of 2019 **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 publishing an undertaking that the petitioner will not have any relationship with any lady namely Agasti Honhaga and he will not allow any lady namely Agasti Honhaga to come his house and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case, the petitioner appears before the trial court on 29<sup>th</sup> September, 2021 and if the opposite party no.2 does not agree to resume conjugal life with the petitioner or does not appear before the trial court, still the petitioner will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Chaibasa in connection with Chaibasa Muffasil P.S. Case No.141 of 2019 **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 that he will keep and maintain the opposite party number of as his lawful wife with full dignity and honour as and when the opposite party number two becomes ready to resume conjugal life with the petitioner** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Anil Kumar Choudhary, J.)**