

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6469 of 2021

Prabhat Chaubey @ Pati Sri Prabhat Chaubey

.... Petitioner

Versus

1. The State of Jharkhand

2. Priyanka Chaubey

.... Opposite Parties

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Suraj Kishore Prasad, Advocate

For the State : Mrs. Priya Shrestha, Spl.P.P

For the O.P. No.2 : Mr. Nagmani Tiwari, Adv.

Order No.02 Dated- 09.09.2021

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 Daltonganj Town P.S. Case No.22 of 2021 registered under sections 498A, 323, 504, 509, 354/34 of the Indian Penal Code and under Section 3/4 of D.P. Act.

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 that the petitioner is ready and willing to take the opposite party no.2 to his place of posting and will keep and maintain the opposite party no.2 with full dignity and honour as his lawful wife. It is further submitted that the petitioner will appear before the trial court on 1st October, 2021 and on that day he will take the opposite party no.2 from the trial court to his place of posting and he will keep and maintain the opposite party no.2 with full dignity and honour as his lawful wife. It is lastly submitted that the petitioner is ready and willing to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Spl.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 CJM, Palamau at Daltonganj on 1st October, 2021 and on that day upon his taking the opposite party no.2 from the trial court to his place of

posting 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, 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 CJM, Palamau at Daltonganj in connection with Daltonganj Town P.S. Case No.22 of 2021 **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** with condition that he is ready and willing to take the opposite party no.2 at the place of posting and will keep and maintain the opposite party no.2 with full dignity and honour as his lawful wife 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 1st October, 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 CJM, Palamau at Daltonganj in connection with Daltonganj Town P.S. Case No.22 of 2021 **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 no. 2 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.)