

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6158 of 2021

Sourav Kumar Dutta	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Chandrajit Mukherjee, Advocate
For the State	: Mr. Sardhu Mahto, Addl. P.P.
For the Informant	: Mr. Anurag Kashyap, Advocate

Order No.02 Dated- 06.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Musabani P.S. Case No.20 of 2021 registered under sections 498A/323/354/504/506/509/34 of the Indian Penal Code, Section 3/4 of D.P. Act and under Section 3 of Prevention of Witch (Daain) Practices Act.

Learned counsel appearing for the petitioner and learned counsel for the informant jointly submits that both the petitioner and the informant are ready and willing to resume their conjugal life. It is next submitted that the petitioner and the informant, in person, will appear before the trial court on 28th September, 2021 and the petitioner will take the informant to his house with an undertaking that he will keep and maintain the informant with full dignity and honour as his lawful wife. It is lastly submitted that the petitioner undertakes that he will cooperate 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 surrender in the Court of learned A.C.J.M., Ghatsila on 28th September, 2021 and on that day on his taking his wife to his house with an undertaking that he will keep and maintain the informant with full honour and dignity 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 A.C.J.M., Ghatsila in connection with Musabani P.S. Case No.20 of 2021 with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the 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.

It is made clear that in case the informant does not appear before the trial court on 28th September, 2021, still the petitioner shall be enlarged on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Ghatsila in connection with Musabani P.S. Case No.20 of 2021 with the condition that the petitioner will resume conjugal life with the informant as and when the informant joins him for resuming the conjugal life and the petitioner will keep and maintain her with dignity and honour as his lawful wife with further condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the 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.

(Anil Kumar Choudhary, J.)