

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6271 of 2021

Kamlesh Shukla Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Sabyasanchi, Advocate
For the State : Mr. Anup Pawan Topno, Addl.P.P

Order No.02 Dated- 07.09.2021

Heard the parties through video conferencing.

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

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

Apprehending his arrest in connection with Daltonganj Town P.S. Case No.125 of 2021 instituted under Sections 498-A, 302, 34 of the Indian Penal Code, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner, being the husband of the deceased-Priti Shukla has committed her murder. It is submitted that the allegation against the petitioner is false. It is next submitted that the deceased-Priti Shukla was under the treatment of Bhagwan Mahavir MEDICA Super specialty Hospital and in this respect, learned counsel for the petitioner draws the attention of this Court towards page-21 of the brief which is the discharge summary issued by the said Hospital and submits that the deceased was also under the treatment of Palamu Medical College and Hospital and in this respect, learned counsel for the petitioner draws the attention of this Court towards page-22 of the brief, which is the discharge summary issued by the said Hospital. The learned counsel for the petitioner submits that in para-11 of the case diary Dr. Jay Kumar- in whose hospital the deceased died, has stated, in his statement under section 161 of the Code of Criminal Procedure, that the deceased died a natural death. It is then submitted that in the post-mortem

report, the case of death of the deceased could not be ascertained, hence, there is no material to suggest that the deceased died a homicidal death. It is also submitted that the petitioner has to look after his minor children. 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 surrender in the Court of learned C.J.M., Palamau within six weeks from today and in the event of his arrest or surrendering, 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 C.J.M., Palamau in connection with Daltonganj Town P.S. Case No.125 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 further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)