

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6362 of 2021

Jitendra Kumar	...	Petitioner
Versus		
The State of Jharkhand & Anr.	...	Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	:	Mr. Rajeev Kr. Sinha, Advocate
For the State	:	Mrs. Snehlita Bhagat, Addl. P.P.
For O.P. No.2	:	Mr. Rakesh Kr. Gupta, Advocate

Order No.02 Dated- 08.09.2021

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 Sukhdeonagar P.S. Case No.426 of 2020 registered under sections 341/323/354/307/379/498A/34 of the Indian Penal Code and under Section 3/4 of D.P. Act.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has treated his wife with cruelty in connection with demand of dowry. It is further submitted that the allegations against the petitioner are all false and are general and omnibus in nature. It is then submitted that the petitioner is ready and willing to pay Rs. 4,50,000/- as ad interim victim compensation to the informant without prejudice to his defence in this case and undertakes to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. and the learned counsel for the opposite party no.2 opposes the prayer for grant of anticipatory bail.

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 J.M. 1st Class, Ranchi within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail **provisionally** for a period of six months from the date of his surrender on depositing a demand draft of Rs.2,25,000/- drawn in favour of the informant 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 J.M. 1st Class, Ranchi in connection with Sukhdeonagar P.S. Case No.426 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 deposit another demand draft of Rs.2,25,000/- thereby completing payment of the total amount of Rs. 4,50,000/- on or before six months of the date of his surrender in the learned court below, the provisional bail granted to the petitioner shall be confirmed by the trial court till disposal of the case.

It is made clear that in case of failure of the petitioner to deposit any of the installments, the provisional bail granted to the petitioner will be cancelled and the trial court will take appropriate steps for his apprehension for facing the trial.

In case, the petitioner deposits the ad interim victim compensation amount, the court below is directed to issue notice to the informant and hand over the said demand draft to her, after proper identification.

In case, the petitioner deposits the ad interim victim compensation, the same shall be adjusted towards maintenance and one time settlement if and when the same takes place between the parties.