

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2586 of 2020

Md. Sakir

...Petitioner

-V e r s u s-

1. The State of Jharkhand
2. Samiyana Khatoon

... Opp. Parties

CORAM: - HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner :- Mr. Arun Kumar, Advocate

For the State :- Mrs. Lily Sahay, A.P.P.

02/20.07.2020

The present case is taken up through video conferencing.

Heard learned counsel for the parties.

The petitioner apprehending his arrest in connection with C.P. Case No. 22 of 2019 registered under Sections 498A/323/341/342/506 of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act pending in the Court of Additional Chief Judicial Magistrate, Chaibasa, has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the complaint. Petitioner is the husband of the complainant. The entire story narrated by the complainant in complaint is concocted and the petitioner has never tortured her as has been alleged. Though it has been alleged by the complainant that the petitioner also assaulted her, yet there is no injury report in support of the said allegation. The petitioner is ready to keep the complainant as his wife with all dignity and honour. Hence, the petitioner may be given the privilege of anticipatory bail.

Learned A.P.P. while opposing the petitioner's anticipatory bail application submits that on perusal of the solemn affirmation of the complainant, it would be evident that there is specific allegation against the petitioner that he used to physically torture the complainant for non-fulfilment of demand of dowry. On several occasions, the petitioner ousted the complainant from the house. There being specific allegation against the petitioner, he may not be given the privilege of anticipatory bail.

Considering the aforesaid facts and circumstance, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his anticipatory bail application is hereby rejected.

(Rajesh Shankar, J.)