

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3100 of 2020

1. Sanjay Kishore Poddar @ Sanjay Poddar
2. Shivesh Kumar Poddar @ Shivesh Poddar @ Tinku
... .. petitioners

Versus

1. The State of Jharkhand
2. Sunita Poddar
... .. Opposite Parties

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the petitioner	: Mr. Jitendra S. Singh, Advocate
For the State	: Mr. Rajendra Ram Ravidas, A.P.P.
For the Opposite Party No. 2	: Mr. Awnish Shankar, Advocate

02/21.07.2020 The present anticipatory bail application is taken up today through Video conferencing.

Heard the learned counsel for the parties.

The petitioners are apprehending their arrest for the offences punishable under Sections 323/504/351/354/34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and have not committed any offence as alleged in the complaint. The allegation against the petitioners is that on 16.07.2018, they after entering the bedroom of the complainant, abused her and outraged her modesty. However, the said allegation is completely unbelievable as the complainant herself has stated in the complaint that the wives of the petitioners were also present there. The petitioners are teachers in Government school. Moreover, the complainant herself has admitted in the complaint that due to the dispute with regard to the share in the house property, a panchayati was held on 03.08.2018 in which the share of respective co-sharers in the family was apportioned, however, the petitioners were not in agreement with the said apportionment made in the panchayati. It is further stated by the learned counsel for the petitioners that the entire allegations made in the complaint is concocted only for the purpose of harassing the petitioners. In view of the aforesaid facts and circumstance, the petitioners may be given the privilege of anticipatory bail.

The learned A.P.P. as well as the learned counsel for the opposite party no. 2 while opposing the prayer for anticipatory bail submit that the opposite party no. 2 has specifically stated in paragraph-5 of her solemn affirmation that on 16.07.2018, the petitioners abused the complainant and outraged her modesty.

Having heard the learned counsel for the parties and considering the facts and circumstances of the case, I am inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners above named, in the event of their arrest/surrender by 06.08.2020, shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Ramgarh in Complaint Case No. 377/2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Rajesh Shankar, J.)

Manish