

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1798 of 2021

1. Babita Devi @ Babita Kumari
2. Naresh Dangi @ Ram Naresh Prasad @ Ram N. Prasad
..... Petitioners
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mrs. J. Mazumdar, Advocate
For the State : Ms. Priya Shrestha, Spl.P.P

Order No.02 Dated- 05.04.2021

Heard the parties through video conferencing.

Apprehending their arrest in connection with Rajpur P.S. Case No.116 of 2020 instituted under Sections 323, 341, 342, 325, 354, 504, 506, 324 and 34 of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners, in furtherance of their common intention, outraged the modesty of the wife of the informant. It is submitted that the allegation against the petitioners is false. It is then submitted that for the self-same occurrence, from the side of the petitioners, petitioner No.2 has also lodged Rajpur P.S. Case No.117 of 2020. It is then submitted that the petitioners undertake that they will not disturb or annoy the informant or any of his family members in any manner during the pendency of the case. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case and to jointly pay ad interim victim compensation of Rs.10,000/- without prejudice to their defence in this case in favour of the informant. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned Spl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned Additional Chief Judicial Magistrate, Chatra within six weeks from today and in the event of their arrest or surrendering, the petitioners will

be enlarged on bail on jointly depositing a demand draft of Rs.10,000/- as ad interim victim compensation without prejudice to their defence in this case drawn in favour of the informant and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate, Chatra in connection with Rajpur P.S. Case No.116 of 2020 **with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case and they will not disturb or annoy the informant or any of his family members in any manner 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 petitioners deposit the said demand draft, the court below is directed to issue notice to the informant and on his proper identification, the court below shall handover the same to him forthwith.

(Anil Kumar Choudhary, J.)