

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1183 of 2021

-
- | | |
|---------------------------------|-----------------------|
| 1. Md. Arshad | |
| 2. Md. Raunak @ Raunak Mian.... | Petitioners |
| Versus | |
| 1. The State of Jharkhand | |
| 2. Rehana Khatoon | Opposite Parties |

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	: Mr. Prabhash Ch. Sinha, Advocate
For the State	: Mr. Vineet Kumar Vashistha, Addl.P.P

Order No.02 Dated- 25.03.2021

Heard the parties through video conferencing.

Learned counsel for the petitioners 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 petitioners, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending their arrest in connection with Complaint Case No. 748 of 2018 instituted under Sections 323, 354B, 379, 504 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 petitioner no.1 being son-in-law and the petitioner no.2 being the brother of the petitioner no.1 have outraged the modesty of the complainant and committed theft. It is submitted that the allegation against the petitioners is false. It is next submitted that because of the family dispute between the parties, this false case has been foisted. It is lastly submitted that the petitioners are ready and willing to co-operate with the trial of the case and undertakes to jointly pay ad interim victim compensation of Rs.10,000/- without prejudice to their defence in this case in favour of the opposite party no.2. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned Addl.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 A.C.J.M, Giridih 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 opposite party no.2 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 A.C.J.M, Giridih in connection with Complaint Case No. 748 of 2018 with the condition that they will co-operate with the trial 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 opposite party no.2 and on her proper identification, the court below shall handover the same to her forthwith.

(Anil Kumar Choudhary, J.)