

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1192 of 2021

Sultan Ansari @ Sultan Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Rohit Agarwal, Advocate
For the State : Mr. Satish Pd., Addl.P.P
For the Informant : Mr. Rakesh Kr., Advocate

Order No.02 Dated- 25.03.2021

Heard the parties through video conferencing.

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

Apprehending his arrest in connection with Jamtara Mahila P.S. Case No.08 of 2020 corresponding to G.R. No.527 of 2020 instituted under Sections 498-A, 34, 376, 511 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner, being the husband of the sister-in-law (*Nanad*) of the informant, has attempted to commit rape upon her. It is submitted that the allegation against the petitioner is false. It is next submitted that because of marital discord between the informant and her husband, this false case has been foisted. It is further submitted that it is highly improbable that the petitioner and his father-in-law together would have tried to commit rape upon the informant. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and undertakes to pay ad interim victim compensation of Rs.20,000/- without prejudice to his defence in this case in favour of the informant. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State being assisted by the learned counsel for the informant oppose the prayer for anticipatory bail of the

petitioner.

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 C.J.M., Jamtara within eight weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on depositing a demand draft of Rs.20,000/- as ad interim victim compensation without prejudice to his defence in this case drawn in favour of the informant and on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount to the satisfaction of learned C.J.M., Jamtara in connection with Jamtara Mahila P.S. Case No.08 of 2020 corresponding to G.R. No.527 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 deposits the said demand draft, the court below is directed to issue notice to the informant and on her proper identification, the court below shall handover the same to her forthwith.

(Anil Kumar Choudhary, J.)