

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1272 of 2021

Santosh Sah	...	Petitioner
	Versus	
1. The State of Jharkhand		
2. Lakhi Devi	...	Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. A.P. Joshi, Advocate	
For the State	: Mr. V.K. Sinha, Addl. P.P.	
For O.P. No.2	: Mr. Abhishek Singh, Advocate	

Order No.02 Dated- 05.04.2021

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Jamtara (Mahila) P.S. Case No.16 of 2020 registered under sections 498A/34 of the Indian Penal Code.

Learned counsel appearing for the petitioner and learned counsel for the opposite party no.2 jointly submits that both the petitioner and the opposite party no.2 are ready and willing to resume their conjugal life. It is next submitted that the petitioner and the opposite party no.2, in person, will appear before the trial court on 23rd April, 2021 and the petitioner will take the opposite party no.2 to his house with an undertaking that he will keep and maintain the opposite party no.2 with full dignity and honour as his lawful wife. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl. P.P. appearing for the State opposes 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 on 23rd April, 2021 and on that day on his taking his wife to his house with an undertaking that he will keep and maintain the opposite party no.2 with full honour and dignity as his lawful wife, he will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamtara in connection with Jamtara (Mahila) P.S. Case No.16 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 will furnish his mobile number and a copy of his Aadhar Card in the court below with the 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.

It is made clear that in case the opposite party no.2 does not appear before the trial court on 23rd April, 2021, still the petitioner shall be enlarged on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamtara in connection with Jamtara (Mahila) P.S. Case No.16 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 will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case with further condition that he will resume conjugal life with the opposite party no.2 as and when the opposite party no.2 joins him for resuming the conjugal life and the petitioner will keep and maintain her with dignity and honour as

his lawful wife and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-