

Dhiraj Mandal Vs State of Jharkhand And Ors

Court: Jharkhand High Court

Date of Decision: March 3, 2021

Acts Referred: Code Of Criminal Procedure, 1973 " Section 438(2)

Hon'ble Judges: Rongon Mukhopadhyay, J

Bench: Single Bench

Advocate: M.B. Lal, Rajneesh Vardhan

Final Decision: Allowed

Judgement

Heard Mr. M.B. Lal, learned counsel for the petitioner and Mr. Rajneesh Vardhan, learned A.P.P. for the State.

Defects as pointed out by the office are ignored. The petitioner has prayed for grant of anticipatory bail, as he is apprehending his arrest in connection

with Nirsa P.S. Case No. 184/2019.

The marriage of the informant was solemnized with the petitioner on 20.04.2018. It has been alleged that subsequently there was a demand of Rs.

50,000/- and on non-fulfillment of which she was subjected to torture. It has also been alleged that when the informant became pregnant her

pregnancy was terminated by the petitioner who had administered certain medicines upon her.

Learned counsel for the petitioner submits that the entire incident had taken place in the state of West Bengal and the case has been lodged at

Dhanbad. It has further been stated that the allegations are general and omnibus in nature so far as the petitioner is concerned and other co-accused

persons have already been granted anticipatory bail by this Court in A.B.A. No. 1012 of 2020.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

It appears that the allegations against the petitioner seems to be general and omnibus in nature. So far as the termination of pregnancy is concerned

there is no medical document on record which would substantiate such contention.

Regard being had to the aforesaid facts, I am inclined to extend the privilege of anticipatory bail to the petitioner. The petitioner accordingly is directed

to surrender before the learned court below within a period of four weeks and on his surrender, he shall be released on bail on furnishing bail bond of

Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class,

Dhanbad in connection with Nirsa P.S. Case No. 184/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal

Procedure.

This application stands allowed.