

(2023) 11 JH CK 0019

Jharkhand High Court

Case No: A.B.A. No. 8791 Of 2023

Bhola Sahu @ Bhola Prasad Sahu

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision: Nov. 9, 2023

Acts Referred:

- Indian Penal Code, 1860 - Section 313, 341, 498A, 506
- Code Of Criminal Procedure, 1973 - Section 438(2)

Hon'ble Judges: Anil Kumar Choudhary, J

Bench: Single Bench

Advocate: Abhay Kumar, Santosh Kr. Shukla

Judgement

Anil Kumar Choudhary, J

Heard the parties.

Apprehending his arrest in connection with Mandar P.S. Case No.88 of 2023 instituted under Sections 498-A, 341, 313, 506 of the Indian Penal Code, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner being the husband of the informant, has treated her with cruelty. It is submitted that the allegations against the petitioner are all false and general and omnibus in nature. It is next submitted that because of marital discord between the parties, this false case has been foisted against the petitioner. It is lastly submitted that the petitioner undertakes to co-operate with the investigation of the case and to keep and maintain the informant with full honour and dignity as his lawful wife as and when she resumes conjugal life with him. 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 below within six weeks from today and in the event of his arrest or surrendering, 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 J.M.-1st Class, Ranchi in connection with Mandar P.S. Case No.88 of 2023 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 he will keep and maintain the informant with full honour and dignity as his lawful wife as and when she resumes conjugal life with the petitioner and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.