

(2013) 07 JH CK 0070

Jharkhand High Court

Case No: A.B.A. No. 1686 of 2013

Chandradeep Ram

APPELLANT

Vs

State of Jharkhand and Another

RESPONDENT

Date of Decision: July 11, 2013

Citation: (2010) 4 JLJR 1 : (2013) 3 AJR 662

Hon'ble Judges: Prashant Kumar, J

Bench: Single Bench

Advocate: Manoj Kr, for the Appellant; Niki Sinha and Sanjay Kumar, for the Respondent

Judgement

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Prashant Kumar, J.

Anticipatory bail application filed by Chandradeep Ram is moved by Sri. Manoj Kr, No. 2, learned counsel for the petitioner and opposed by Ms. Niki Sinha, Addl. P.P. for the State and Sri Sanjay Kumar, learned counsel for the O.P. No. 2. At the outset, Sri Manoj Kr. No. 2 submits that petitioner is ready to keep Opposite Party No. 2 with all love and dignity and he is also ready to give written undertaking that he will not torture her in future.

2. Sri Sanjay Kumar, submits that his client is also ready to reside with petitioner provided petitioner will give an undertaking that he will not torture her in future.

3. In view of the aforesaid undertaking given by the petitioner, I allow this anticipatory bail application and direct the petitioner to surrender in the Court below on 22.07.2013. On that day, opposite party No. 2 namely, Sarita Devi is directed to remain present in the Court below. The learned Court below is direct to enlarge the petitioner, above named, on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Civil Judge (J.D.) V, Garhwa in connection with Bhawnathpur P.S. Case No. 187/2012, corresponding to G.R. No. 1473/2012, subject to the condition as laid down u/s 438(2) of the I.P.C. The learned Court below is further directed to take written

undertaking from petitioner that he will not torture opposite party No. 2 in future and will not demand dowry. The learned Court below is further directed to send opposite party No. 2 with petitioner after taking aforesaid undertaking. It is made clear that if, in future, petitioner will torture, the opposite party No. 2, then she can file application for cancellation of bail.